

## SENATE—Tuesday, January 28, 1992

(Legislative day of Friday, January 3, 1992)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. BYRD].

The PRESIDENT pro tempore. The prayer to the Almighty Host will be led by the Chaplain, Rev. Richard C. Halverson. Dr. Halverson, please.

## PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

*Except the Lord build the house, they labour in vain that build it: except the Lord keep the city, the watchman waketh but in vain.—Psalm 127:1.*

Eternal God, Creator, Sustainer, and Consummator of history, as Congress gathers this evening to hear the President—as the world listens—grant that the words of the psalmist be heard by all of us. "Except the Lord build the house, they labour in vain that build it \* \* \*." As the Nation confronts grave crises, may we recognize the limitations of the best and the finest humans can do. As the State of the Union Address is given and the battle of ideas and views and positions follow, help us hear the voice of the Lord, reminding us of our need for divine intervention in all our affairs.

Gracious Lord, bring to our remembrance the faith of our fathers who looked to Thee when there was nowhere else to turn. Restore to us their faith, and renew in us their dedication to transcendent truth and reality. Whatever carried them through their crises, may we find recourse and repose in that same resource.

In His name who is the Lord of life. Amen.

## RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

## SCHEDULE

Mr. MITCHELL. Mr. President, today the period for morning business will run until 12 noon. At that time the Senate will resume consideration of S. 2, the education bill. From 12:30 p.m. until 2:15 p.m., the Senate will stand in recess to accommodate the respective party conferences.

When the Senate reconvenes at 2:15 p.m., there will be 10 minutes remaining for debate on the Nickles amendment No. 1479, and following that 10

minutes of debate a motion to table that amendment will be made by Senator BENTSEN.

Once action is concluded on the Nickles amendment, Senator DOMENICI will raise a Budget Act point of order against the Wirth-Wellstone amendments. There will then be 90 minutes for debate on a motion to waive the Budget Act. After all time is used or yielded back, the Senate will vote on that motion to waive.

Once these amendments are disposed of, four other first-degree amendments remain in order and will have to be disposed of prior to final action on the bill. These first-degree amendments are open to relative second-degree amendments as was provided for in the previous unanimous consent agreement governing the bill.

It is my hope that action can be completed on this bill today. Therefore, Senators should be aware that rollcall votes will occur with respect to amendments to the education bill and hopefully final passage during the afternoon and evening today.

## RESERVATION OF LEADER TIME

Mr. MITCHELL. Mr. President, I reserve the remainder of my leader time and I reserve all of the leader time of the distinguished Republican leader.

The PRESIDENT pro tempore. Without objection, the time of the two leaders will be reserved.

## MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 12 o'clock noon with Senators permitted to speak therein. The Senator from Connecticut [Mr. DODD] will be recognized at some point to speak for up to 30 minutes. The Senator from Georgia will be recognized to speak for up to 15 minutes, and the following 90 minutes will be under the control of the majority leader or his designee.

The majority leader is recognized.

## PRESIDENT BUSH'S STATE OF THE UNION ADDRESS

Mr. MITCHELL. Mr. President, this evening the President will address the Congress and the American people with his third State of the Union Address. He will unveil his long-awaited domestic economic program.

His immediate challenge, and ours, is to respond to the recession. We must

move the economy out of recession and return to growth, job creation, and expansion. That is a goal on which we all agree.

We Democrats in Congress have already recognized the need for unemployment insurance extension for the long-term unemployed. In fact, congressional committees are scheduled to take up that legislation this week. Americans out of work through no fault of their own need that help. We will work to bring it to them promptly.

We have long advocated relief for middle-class families who have been overtaxed throughout the last decade. I hope the President will propose a significant tax cut for middle-income families and will include other elements of an economic revival program to help turn the economy around.

We welcome his attention to the need for economic stimulus at this time. A tax cut for middle-income working Americans; a temporary investment tax credit to speed up business investment; programs to revive the housing and construction industries are all important and achievable. We need immediate action to restore growth and confidence.

I hope the President will also join us in urging action to assist States and local governments struggling with recession-hit budgets. We hope that is part of the President's proposal.

It appears that the President will agree to a further shift of resources away from defense spending in the wake of the collapse of the Soviet Union. That is a hopeful sign.

We need a comprehensive program of conversion from military to civilian purposes. The President can spur such a shift. I hope he will do so.

Our Nation made an efficient and successful conversion in the wake of World War II. It laid the basis for sustained real economic growth for more than a decade. We can and should repeat that effort in today's circumstances.

Every part of the country will feel the economic fallout of defense job losses, base closings or contract cuts over the next few years. A plan to efficiently utilize the people and expertise that will become militarily redundant will give hope and confidence to the affected communities and individuals that their future is one of promise, not despair.

I hope the President will recognize and offer real answers to the income decline that threatens the living standards of middle-income families.

\* This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

That will require a program for long-term investment for growth. We need that longer view to create the basis for sustained improvement in Americans' living standards.

Long-term economic growth demands a revived civilian economy. We have to invest in research. We should be exploiting the discoveries we have already made as well.

For example, the fiber-optic technology for a broad telecommunications infrastructure already exists. It is being installed and used now by some of our largest corporations.

The public policy challenge is to bring that technology to smaller businesses and consumers—to build the public network of the new technology as earlier generations built the telephone line network. The technology to move people more efficiently in urban areas exists. We should be planning to take advantage of it. High-speed rail is a reality in the rest of the developed world. It is time it came to America.

The end of the cold war frees up resources and skills that present an enormous opportunity for the revival of American economic leadership and growth. I hope the President's message will point us in that direction.

The revival of American economic leadership and growth depends, ultimately, on how we invest in the human beings whose work produces economic growth.

It is human intelligence and human will which makes innovations possible and develops them for wider use. Well-educated employees are more efficient; well-trained researchers are more inventive; skilled workers are more flexible. An economy which can adapt to new circumstances is an economy that grows with change instead of being overwhelmed by it.

Education reform at the elementary and secondary level is a crucial ingredient of long-term economic growth.

Better schools, more highly trained and motivated teachers, increased parental involvement, focused funding—all are needed to give the next generation the attitudes, skills, knowledge, and outlook that preserve and strengthen American values. We hope to complete action on this important effort in the Senate today.

But to learn, children must begin school ready to learn. We have already lost one generation to neglect. The President gives strong verbal support to Head Start. I hope his message will lay emphasis on the central importance of that approach.

Head Start must be available to all eligible children—today it reaches a third of them. It is a proven program to prevent school failure. Children need it now. They cannot afford to wait a few more years, because in a few more years they will already be in school and failing. I hope the President endorses our democratic goal of fully

funding Head Start. A commitment to fund 80 percent of enrollment for a single year is not a long-term commitment. Our children need more and so does the Nation.

Economic revival and growth also mean we must deal with long-neglected problems now. If we do not, they will stall growth in the years to come.

No problem today is more acute than health care. Too many people who need coverage cannot afford it. Too many who could afford it are locked out by insurers who will cover only the healthy. The system permits overuse by the well-insured; discourages preventive care for those most at risk; and distorts both hiring decisions by employers and career decisions by employees.

The system does not efficiently serve private citizens or private business. It needs reform.

We need a plan for reform that meets the three standards essential to real and meaningful change. Access to affordable health insurance for every American, effective strategies to restrain runaway cost increases, and increased emphasis on preventive care.

Health care is the tip of a large iceberg. There are many other neglected problems to face.

The airline industry is still operating from dangerously overcrowded airports. A year after the war in the Persian Gulf, we are as dependent as ever on oil imports. Within 2 years, the residents of almost half our cities will face higher local taxes as landfills close and waste disposal costs skyrocket. Wastewater treatment also continues to be a priority for communities across the country.

I hope the President addresses these realities this evening. America's economy and America's future is more than the sum of the figures that make up the Federal budget. It is the wellbeing and prosperity of families and communities across the land.

All decisions have consequences. The decision to cut resources for families with children has given us the only society in the developed world whose children face a higher risk of poverty than any other group in the population.

The decision to save money on alternative energy research shifts to the private sector the high costs of oil imports.

The decision to save on moderate income housing shifts costs to local taxpayers for homeless shelters.

The decision that our companies cannot afford unpaid family leave when all our economic competitors pay for family leave says that our Government has given up on the quality of life of ordinary working families. It says that people who choose to have children or have frail parents are a drag on society, not contributors. But that is wrong. They are not a drag on society.

They are contributors to a healthy society.

Those people are the heart and soul of America. I hope the President's message will recognize that central fact.

We are ready to work with the President for a well-conceived plan of economic recovery and long-term growth. We hope his State of the Union Message will offer a substantive plan.

Mr. President, I yield the floor.

Mr. RIEGLE addressed the Chair.

The PRESIDENT pro tempore. The Senator from Michigan [Mr. RIEGLE].

#### COMPREHENSIVE HEALTH CARE REFORM

Mr. RIEGLE. Mr. President, I want to follow on, in something of the same vein as the majority leader, and say that tonight we will be hearing a State of the Union Message. From my observation we are a nation struggling today and a nation in very serious economic difficulty. I think a careful look at the data from a number of directions indicates to us that we are in the process of losing our economic future. We need aggressive new policies to change that along the lines just suggested by Senator MITCHELL.

We clearly need a new economic plan for America where people in this country can sit down together, business, Government, and labor, and come up with a strategy to put this country on a different economic track. I think it is obvious for all to see that the Bush-Quayle plan has failed and we need a new plan. People today are worse off than they were nearly 4 years ago when we embarked on the plan of this administration, and a new plan is clearly needed.

Part of that plan clearly must be in the area of health care reform. We need a comprehensive overhaul of our health care system in America today to accomplish two primary goals. First, access to the system by all Americans so that everyone has a form of health insurance coverage for every person in our country. And second, we need a situation where we go in and deal with the excessive costs that have built up in the system through a host of inefficiencies, through all kinds of cost shifting that goes on through the system and which now have reached the point where we are spending about 12 percent of our gross national product on health care, far higher than any other nation, and yet we have nearly 40 million people who are left out altogether, and tens of millions more who have health insurance but it is either limited or it is becoming so expensive that they cannot continue to maintain it. So we have a major problem in that cost control area that has to be dealt with.

I must say just in my own personal experience in the last 2 weeks we have had two occasions within our family to



require the use of skilled medical help, one the delivery of a baby. My wife had our second child just this last week out at the Fairfax County Hospital. I was certainly impressed by the tremendous quality and effort of the medical personnel there, and the care that the infants were getting.

Every child in America coming along needs care such as that, not just at the time that a birth takes place but the prenatal care that is so essential in ensuring there is a normal birth, that the child comes at full term and has the normal birth weight, has an opportunity to embark on a life with full strength and with the kind of help that may be needed if for one reason or another the birth process itself is difficult.

Just yesterday I was in my home city of Flint to visit my father who is hospitalized there with some serious difficulties that come with advancing age. I talked with the doctors that have been treating him, wonderful people, very skilled, applying themselves with a measure of professional competence to try to extend his life and to help, for which my family and I are very grateful.

But I have to again ask the question what is happening throughout our system? What is happening to those who have no insurance? What is happening to those who live in areas where there are no adequate medical resources? In areas of my State hospitals are closing, and the skilled physicians are not available.

The occupant of the chair, Senator BYRD, represents West Virginia. It, too, in its rural areas has problems such as that where people today need medical care, whether it is expectant mothers, or whether it is older citizens who need particular needs met, or people of any age in between, are often finding that either they do not have access to the system because they do not have health insurance, or they often come late with the medical problem which is often far worse than it otherwise might be.

There was a story on NBC News this morning, just a terribly tragic story of a family with a young baby girl who inadvertently swallowed something and needed care. They went to the nearest medical facility. That facility was not equipped to be able to identify what the problem was. The little girl continued to struggle and eventually died.

To listen to the parents talk about that story of this young girl's life that was lost that need not have been lost—it increasingly is the story of America, of either health needs not met, or people who need jobs who cannot find them, people including recent veterans of Desert Storm who have come back, had the parades a year ago, who we see now unemployed, homeless, out in our society seemingly of no interest to our country as a whole in terms of trying

to help them get a foothold and get established with a decent life in our country.

We have major economic problems and probably no area makes that clearer than the need for this comprehensive health insurance that can cover everybody in our country. If you take that problem in the health care system with the shrinking economic strength of the middle class, we have a situation right now where we are sliding backward, the number of uninsured are rising. Those that have partial health insurance at work are finding that they may be covered but the members of their family are not covered.

We have described before the situation of a working mother in Detroit, Cynthia Pyfe, who appeared before one of our hearings. She has a job and partial health insurance for herself. She is a single parent and she has a 6-year-old son Anthony, and he has no health insurance. It is not provided through her workplace. She does not make enough money to be able to buy health care coverage for him, so they go without health coverage for that little fellow.

You look at that and multiply that times millions of people in the country, and it is not right. It does not have to be that way. The President, if he wants to, can change that tonight by stepping forward to lead on this issue, as he ought to do.

When you go back and look at our founding documents, they have to do with the well-being of our people. We formed the country, and we made our basic arrangements with each other. We affiliated as a people in order to look after the well-being of every citizen of this country. Life, liberty, and the pursuit of happiness, it is built right into the founding documents, virtually on every line.

But if you need health care and you cannot get it, you are probably risking your life, and you are certainly not going to be able to pursue happiness, or to otherwise enjoy the blessings of just the great privilege of being able to have a life and to have a life in a free country.

So we have to deal with this health care issue. Failure to do so is also damaging our business system. In the automobile industry today, we have tremendous problems that are well-known. But one of the problems is that, because our health care system is out of control, the health care cost per vehicle produced in the United States is about \$1,000. The highest level it is in any other competing country that builds cars is about \$500. Most are lower than that, because other nations have national health insurance plans that do not bring the cost in as a direct product cost in an industry like that.

We are losing competitiveness in that area in part because of this enormous cost burden. We cannot afford inflated costs in our health care system that

feed back in our business system and make our companies less competitive and help close them down, and shrink job opportunities in the United States.

We can correct that problem with a comprehensive health insurance plan. We have brought one forward. Senators MITCHELL, ROCKEFELLER, KENNEDY, and myself have devised one. We have put it forward at the present time. We have, in addition, 7 other cosponsors that have joined us here in the Senate behind that legislation. It is a good bill. It is S. 1227. It deals with these two problems of access to the system, universal coverage, so that everybody in America is seen and acknowledged as important and can have health insurance protection. It also deals with the problem of cost control. We implement a series of cost-effectiveness and cost-control measures that will reduce health care costs over the next 5 years by an estimated \$80 billion.

So we feel that there is a way—by revising the system and by taking out some of the inefficiency and some of the areas where needless cost accumulates—that we can save money and, in turn, provide broader coverage to all of our people.

But no child or no expectant mother in America should come down the track of their life experience and find that they are deprived of the basic things they need to have, such as an opportunity for good health care, to get started in life, and to have the potential to come forward with decent education and other opportunities in our society, and with the health care that may be needed along the way, to have the chance, to prosper, to have the chance to eventually build a family of their own, to be able to contribute to the country, to be able to build the country's strength.

We cannot build a strong country if people are out there today, such as the millions of people who are, in effect, walking wounded, who cannot get access to health care when they need it; or when they finally go, they are so sick because they have delayed going because they do not have health insurance, and they show up in an emergency room, and they are in far worse health, and it is much more expensive to try to care for them at that time. And if they do not have coverage, those costs, if they cannot pay them, have to be cost shifted through the system, and in the end they are paid by everyone else who has health insurance, inflating those costs.

It is a vicious cycle moving in that direction and one we must break. That is why we need some leadership tonight. When I say "comprehensive health care plan," I do not mean just a little tinkering around the edges. That is not going to get the job done. That may sound good, that may look good in terms of a presentation when it is crafted very carefully with the words

that are said, but if it is not a comprehensive plan, if it does not set as a goal providing health insurance coverage for every person in this country, and a strong set of cost controls to get cost efficiency into the system, then it is not going to mean much.

You might hear the buzz words, and there might be sort of a tip of the hat in the direction of the problem. But unless there is a comprehensive plan offered that is relevant to every citizen in the country, then it will not be adequate to the need.

I want to read briefly from a letter I received from a woman in Fraser, MI, signed both by herself and by her husband. I received this letter last August. But I receive them each day each week. I want to share a few words because it is on the issue of health care.

She is talking about the fact that her husband had been laid off from his job and laid off now for some months prior to the time that she wrote this letter.

I want to cut into the middle:

Because of Walter's lay-off we have to pay for our own health insurance. Since it has been almost six months of no work plus the expense of health insurance our savings and our peace of mind are nearly depleted.

I don't feel that the greatest country in the world, the United States, can care for its own citizens. If you're an American, you should feel secure enough to know that you will be able to seek medical attention if necessary.

We are not alone in our feelings. There are millions of Americans who through no fault of their own are not covered by any health insurance. We hope you are able to get your bill S. 1227 passed. Please help us.

Signed by both the husband and wife in Fraser, MI.

I have mail stacked this high coming in like this. When we asked for people who want to testify at field hearings we held, we had so many people who wanted to testify, we could only accommodate just a very few.

Let me finish with this.

Today is a special day for America because we are going to take a look at the state of the Nation. What is the state of the Nation? What is the state of our economy? What is the state of opportunity for our people? What is happening in the area of health care? What are our prospects? How are we doing in international trade?

It is a very depressing situation that we see. We see the massive unemployment. We see all of these people without health insurance. We see missed opportunities all over the place.

I hope that tonight America will make a decision to get off the path we are on and get on a new path, on a new economic path, and a new path about equity and justice for our people.

You know, for most of the 1980's, from 1980 to 1988, we took sort of an 8-year trip to the movies with President Reagan. Reaganomics sounded good. "Morning in America," followed by the Bush campaign theme, "Don't worry.

Be happy." And it was essentially fraudulent, and now we see that, because we see what happened to our economy, how it has been hollowed out, how we have squandered the time and squandered our opportunities.

It has not hurt those at the very top with high incomes. They have been well protected from this. But most everybody else is sliding backward. That is what is reflected today in the economic data and the public opinion polls. I think it is time, as a nation, that we find our conscience again and care about each other and care about strangers, care about people in this country whose names we do not know, whether they happen to be homeless people living in cardboard boxes or under bridges. A large number of the homeless are veterans, by the way, of military service to this country, who were important enough at the time that we asked them to serve and defend America, and now we have turned our back on them. It is not right. Or the person that needs health care and does not have it, or the person that needs a job.

We saw all those people standing outside the hotel in Chicago the other day in subzero temperatures, winding for blocks, and several thousand people standing their shivering to turn in a résumé, desperate to find a job, and only a handful of jobs available.

This country ought to commit itself to have a job for every single American in our land. Everybody standing in that line should have a job. We need them working. They need to work. We need the economic strength. They need the income. Why is it that we are so uncaring or incompetent as a country that we turn our back on our fellow citizens, those in need? It is not right. It is against the very grain and purpose of this Nation. It is one for all and all for one, and we have to care about each other and we have to help each other. If you get an elitist crowd running the Government that does not believe in that, they have to move out and somebody has to move in who believes in that fundamental purpose of this country, that we look after each other and help each other, because that makes a strong and decent nation.

We have lost our way. We lost our way during the 1980's and we have not found it as yet.

So I do not want to hear just a lot more of the same thing tonight, maybe dressed up with a few new words. We need a change in direction, a fundamental change in direction. We need a new economic plan. And part of it has to be comprehensive national health insurance, and not just for some, not health insurance for those up on the top tier or for others who are well situated. We need health insurance for 250 million Americans because each one is important and none should be left out. We have the chance to do it, and I certainly hope we will.

I thank the Chair.

Mr. ROCKEFELLER addressed the Chair.

The PRESIDENT pro tempore. The Senator from West Virginia [Mr. ROCKEFELLER].

Mr. ROCKEFELLER. I thank the Chair.

I strongly associate myself with the remarks of the Senator from Michigan who, as always, speaks with a very strong moral undertone to what the direction of the Nation might be, not just the details of that direction but the underlying moral force for that.

#### AMERICANS ARE ANXIOUS FOR LEADERSHIP IN HEALTH CARE

Mr. ROCKEFELLER. Mr. President, tonight, both Congress and the American people will listen intently to the President's State of the Union Address.

I think we all hope that it will be far more than a vague glimpse at the year ahead that the President will lay out a vision for economic recovery and revival.

As the President knows, Americans are also anxious for his leadership in health care. George Bush has the great fortune to be President at a moment when the American people and both Houses of Congress are ready to transform our health care system.

With his speech tonight, he has an opportunity to begin a health care revolution which will save dollars and lives, and benefit tens of millions of Americans—workers and employers, parents and children—for years to come.

Today—and I say this to George Bush and his aides—I suggest a three-part test of the worth of any of the President's health care proposals.

The first test is whether his proposals really do ensure universal coverage, with special emphasis on children, pregnant women, and preventive care.

The second is whether the President's proposals lower the cost of care for businesses and families, and whether he makes a special effort to help America's small business. And the third test is whether he offers an approach to bringing about long-term care for all Americans when they face that need.

Last month, at an Atlanta field hearing I participated in with Majority Leader MITCHELL and my colleague, Senator FOWLER, I heard firsthand what health care costs are doing to our recession-wracked economy.

Georgia-Pacific CEO Marshall Hahn told us how health care costs were pricing his company out of the international wood and paper industries. How companies in other nations, whose governments pick up the tab for employee insurance, are forcing this U.S. firm out of market after market.

We also heard from Karl Hall head of a four-person firm who can't get afford-



able insurance at all—because of his treatable hypertension. Mr. President, his employees would have better access to health care if they had no job whatsoever.

If a Presidential health care initiative cannot keep Georgia-Pacific competitive around the world, if it cannot include Karl Hall's employees without costing them their jobs, it flunks the test. It needs to be sent back, and the administration should start over again.

Like George Bush, Natalie Baker has Graves disease. Unlike George Bush she paid for her treatment out of her own household's pocket. Diagnosed when her husband switched jobs, her condition was branded pre-existing, and no one would insure her.

The cost of treatment wiped out the Baker's savings. A single accident—a broken leg or a ruptured appendix, would have cost them their home.

If the Bush proposal cannot bring treatment to Natalie Baker; if it cannot ensure that her health does not jeopardize her home; if it cannot free their family of the fear they experience every day; it flunks the test. It needs to be sent back.

A divorced mother in my home State of West Virginia cannot get insurance for her family because an underwriter's chart says that she is overweight.

Her perfectly healthy 8-year-old must live a sheltered life, the fun and games of childhood restricted for fear that any injury will eat up his mother's meager savings.

And unless George Bush is ready to propose a way to make sure our Nation's children have a chance to grow up healthy and active, I am going to help lead the fight to send his plan back to the drawing board.

You don't have to be a doctor to know the difference between comprehensive reform and cosmetic surgery.

For months now we have been moving with increasing speed toward systematic reform. We have jumped the hurdles of public apathy, political invisibility, and the perception that bold, constructive change is impossible. The single, final barrier to health care reform is George Bush.

If his proposals sap our momentum with empty symbolism and too much incremental change, we must fill up the floor of the Senate with our outrage; we must lead our constituents to light up the White House switchboard.

The U.S. Congress cannot, under any circumstances, allow our momentum to be sapped by symbolic change and political posturing.

Tonight, we must separate the jargon from the reality, the rhetoric from the truth. The test is simple.

It is up to us to say "pass" or "fail." We will ourselves have failed if we pass a Presidential program that does not meet the basic standards of universal coverage, lower costs, and long-term

care protection. Any credible new domestic order must include these urgent goals.

We stand at the edge of a quantum leap into the future—our Nation is poised to agree to fundamental reform that will bring a hundred million Americans and a \$6 trillion economy into the 21st century. We must seize this moment and change this Nation.

The PRESIDENT pro tempore. The Senator from South Dakota [Mr. PRESSLER].

#### THE STATE OF THE UNION

Mr. PRESSLER. Mr. President, I, too, look forward to the President's speech this evening. I would say that the burden is on Congress to enact a program. I attended this morning a briefing by the President. I think the Congress will be under a great deal of pressure to enact the President's program by a date certain. I hope that that occurs. But I think there is a burden on every level of American society in terms of the recession we are now in. We will receive strong leadership from our President. We must also receive strong leadership from the Congress.

There is also a burden in terms of the entire U.S. Government to improve our decisionmaking capabilities. Many of the types of decisions that need to be taken are not taken in a timely fashion. Our deficit has grown beyond all imagination. There is much need for reform in Washington.

There is also a burden on our corporate presidents, who set an example. In my opinion, they have been taking too high salaries. There is a cozy relationship between boards of directors and corporate presidents.

I believe strongly that the burden is on workers and labor, also, in terms of quality control. The burden is on local school districts to work to improve our schools in a fashion that a large portion of our young people will not be graduating without the basic skills in mathematics and reading.

So as we look forward to our President's address this evening, I am prepared to take the actions necessary. But the burden will be on Congress after the President's speech, and I do look forward to that speech.

#### SURINAME

Mr. PRESSLER. Mr. President, Suriname's new civilian government is facing threats of a military coup from that country's Armed Forces Commander Desi Bouterse. Since my visit to Suriname in December, it is increasingly rumored that Suriname's military may again impose its will, shattering democracy and undermining representative government. Twice before, including as recently as Christmas Eve 1990, leaders of the armed forces have expelled cabinet ministers

and the national legislature. This must not be allowed to happen again.

During my visit to Paramaribo, I met with Suriname's President, Dr. Ronald Venetiaan, and with key cabinet ministers. These leaders, elected in 1991 after the military relinquished power, have formed a government which is constantly looking over its shoulder at armed forces headquarters. The barracks, located midway between the President's office and the Civilian Assembly Building, bristle with high-technology communications devices.

In the 17 years since gaining independence from The Netherlands, the military chronic imposition of its will and ruinous socialism have driven out many of Suriname's most promising citizens. Most have fled to Holland. Opportunities and investment have lagged for the same reasons. Many exiles fund Suriname's economy by sending Dutch guilders home, where they are processed through the black market to avoid unrealistic official exchange rates. Surinamers suffer a deep lack of confidence in their country's political and economic future.

Under Army Commander Desi Bouterse, Suriname's small army seems to hold most of the trump cards. When Bouterse elevated himself in the armed forces and seized power the first time, he staked out a decidedly pro-Cuban position. Over the years he and his top deputies have become allied with Colombian drug lords. The army is widely believed to permit narcotic traffickers to refuel on the country's remote jungle airstrips. In addition, military officials are known to turn a blind eye to the content of commercial aircraft and ship cargoes.

The military's record while in power has been extremely poor. It has repeatedly violated basic civil and political rights of the people. In Suriname's civic climate, the armed forces inevitably takes sides. Suriname has an extremely diverse population: American Indians live together with descendants of black slaves, mixed race creoles, East Indian Hindustanis, Indonesians, and Chinese. With only 400,000 people, strong ethnic identity has resulted in coalition governments. Sadly, that diversity is used to rationalize favoritism and political payoffs.

During last year's elections, the military formed its own political party and zealously bought votes. How were the bribes of frozen chickens, cars and bicycles financed? The best guess is from drug trade profits. Bouterse's affinity for drug lords is further confirmed by his recent appointment of a top aide who was released after 5 years in a U.S. prison for a drug conviction.

Recent discussions, on the island of Bonaire, between Suriname's civilian government and the Dutch have begun to reinforce economic and democratic reforms. The United States and other countries need to help this process con-

tinue, through both direct efforts and multilateral diplomacy.

The first goal must be to warn off the military from its pattern of adventurism. To that end, I have contacted President Bush asking him to send strong signals that another military coup will not be tolerated in Suriname. Embargoes have been imposed in the past, but have not been effective in dissuading the army. A more potent message must be sent. Rumors of a new coup make this an urgent priority.

Events in Haiti provide a useful lesson. Had the United States or a coalition of countries curbed President Aristide's verbal and policy excesses, the military may have had no excuse to force him out. Putting down strong, effective markers early in Haiti's coup might have shortened it and encouraged thousands of refugees to remain at home until power reverted to civilians.

The United States cannot remake Suriname. But it can and must take effective steps to discourage a military takeover. America's security interests also include assisting the civilian government in its efforts to control drug trafficking and to promote economic growth.

Recently, I urged President Bush to place immediate economic sanctions on Suriname in the event of a military coup. The United States needs to send an unmistakable signal that a military coup will be opposed vigorously and effectively. The success of Suriname's civilian government and democratic institutions is important to our foreign policy throughout Latin America.

Mr. President, I ask unanimous consent to have my letter to President Bush printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JANUARY 9, 1992.

The PRESIDENT,  
The White House, Washington, DC.

DEAR MR. PRESIDENT: I recently returned from a trip to Paramaribo, Suriname where I met with President Ronald Venetiaan. As you know, President Venetiaan's government is now facing increased threats of a military coup from Commander Desi Bouterse.

Should there be an illegal military overthrow of the democratically elected government, I urge you to immediately place an embargo on Suriname. The success of Suriname's civilian government and democratic institutions is important to our foreign policy throughout Latin America.

Suriname's sad history of military intervention against elected governments, combined with the military's apparent collusion with international drug traffickers and participation in drug trafficking, must be opposed.

During my visit to Suriname, I was impressed with the commitment of the Dutch government to civilian authority and representative rule in their former colony. The United States should do no less than cooperate in all appropriate international efforts to strengthen free institutions, send an unmis-

takable signal that a military coup is completely unacceptable, and that any coup will be opposed vigorously and effectively.

I will do all I can to support your actions to preserve democracy in Suriname. We need to do all we can to encourage the development of permanent civilian and democratic institutions in Suriname.

Sincerely,

LARRY PRESSLER,  
U.S. Senator.

Mr. PRESSLER. Mr. President, I note the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum has been noted. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PRESSLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

#### CASTRO AND HIS CUBA

Mr. PRESSLER. Mr. President, recently, I spent 4 days in Cuba with some staff members from the Senate Foreign Relations Committee. During that time, I had a 6-hour meeting with Fidel Castro, which was a great deal of listening on my part. I did write an article that appeared in the Miami Herald on January 23, 1992, summarizing that meeting with Mr. Castro and my impressions of Cuba. It is entitled

"A U.S. SENATOR'S IMPRESSION OF CASTRO AND HIS CUBA." I ASK UNANIMOUS CONSENT THAT IT BE PRINTED IN THE RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Miami Herald, Jan. 23, 1992]

A U.S. SENATOR'S IMPRESSIONS OF CASTRO  
AND HIS CUBA

(By Larry Pressler)

Now that communism has failed in Eastern Europe, does this create a realistic chance for greater freedom and opportunity for Cubans on their island? Upon my arrival in Havana, one of Cuba's vice presidents met me. From that moment, I was accompanied by people claiming to be with the ministries of foreign affairs or interior. Secret police?

The best way to get a feel of a country is through its people. Sadly, it was apparently too risky to allow a U.S. senator to meet average Cubans. However, despite the best efforts of Castro's functionaries, I found ways to see the Cuban people as they worked and went about their lives. Their misery was apparent.

I was struck by the dilapidated nature of the buildings. None are newly constructed or painted, and almost all predate the 1959 revolution. The only exceptions are special facilities for foreign tourists and sports facilities used during the Pan American Games.

Car owners have been forced to ride bicycles, take buses, or walk, as a result of strict gasoline rationing imposed since the Soviet Union cut its petroleum shipments to Cuba by 50 percent. All Soviet and East European subsidies have been cut drastically.

"Can you show me a supermarket?" I asked my hosts repeatedly. "Later," they replied. Later never came because there are no supermarkets—except the one exclusively

for diplomats. Cuba suffers a shortage of almost everything: shoes, milk, beans, and soap are among the rationed items. Castro can't even meet modest ration targets. Even water is scarce. Long lines at government water trucks are the norm.

During nearly six hours of discussions with Cuba's leaders, he conceded that his country was experiencing tough times. But Castro rationalized shortages as the result of wise economic planning done in the best interest of the Cuban people. Why have Cubans switched from cars to bicycles, and from tractors to oxen? Castro contends that bicycles are better exercise and better for the environment, and oxen are more productive than tractors.

Having grown up on a South Dakota family farm, I remarked that this was indeed a revolutionary concept! Cuba will be the first country in history to go from the use of tractors to oxen in farming.

"Could you hold free, fair elections?" I asked Castro. Insulted by the suggestion, he stated that it would be impossible due to current fuel shortages. However, if change does not come by the ballot, downtrodden Cubans may have to act, even though a Ceausescu-type coup would be a nightmare for Castro. When I asked Castro about his long record of human rights violations, he denied that there was a problem. So long as Castro's communism remains, Cuba is without hope.

In our meeting, I saw no signs that Castro is willing to move away from past policies. Castro contends that Cuba is on a long pilgrimage toward the ideal Communist state. Cuban officials claim to have nearly reached the stage of socialism, after which communism will follow.

The regime brags about progress in health care, education, and tourism. I visited two scientific-research centers for the development and production of medicine and vaccines. All the laboratories were empty. Health care may be universal but it is also rudimentary.

Since Castro has isolated himself, the Cuban government is not able to get sufficient supplies of medicine. Even aspirin is hard to find. It is impossible to judge the effectiveness of Castro's much touted advancements in medicine. He will not allow international organizations to test the quality or results of Cuban vaccines.

As far as alleged achievements in Cuban education, school is free of charge. However judging by Cuban officials and school children I met, education is largely a propaganda tool for the regime. Only those children who join the Communist youth organization are permitted to receive higher education.

In a school for the partially blind, children loudly and enthusiastically sang: "I will be faithful to Fidel, the revolution, and socialism." Though the school was for blind children, walls and blackboards were covered with slogans and history of the revolution.

Tourism is Castro's one hope. The regime has built luxury hotels and enforced a form of tourist apartheid in them and on nearby beaches. Average Cubans are not allowed. This is indeed ironic because when Castro came to power 33 years ago, he told the people that he had struggled so the beaches would belong to them. The Castro government, hopes that tourism can become a cash cow with its milk being used to feed the starving totalitarian system. My guess is that average Cubans see through this scheme and resent it.

As for U.S. policy, Castro has given the United States no reason to lift the trade em-



bargo. Ending the blockade would be seen as a victory for Cuban-style communism and would send exactly the wrong message to Nicaragua's Sandinistas, to the Salvadoran Communist guerrillas, and to other similar movements.

After seeing the country for myself, I am not convinced that the lessons of post-Communist reality have been learned in Castro's Cuba.

The PRESIDENT pro tempore. Does the Senator from South Dakota yield the floor?

Mr. PRESSLER. I yield the floor.

Mr. SASSER addressed the Chair.

The PRESIDENT pro tempore. The senior Senator from Tennessee [Mr. SASSER].

Mr. SASSER. Mr. President, I yield myself such time as I may consume from the time reserved to the majority leader.

The PRESIDENT pro tempore. The Senator from Tennessee, Mr. SASSER, is recognized for such time as he may require under the time under the control of the majority leader.

#### AMERICAN PEOPLE NOT LOOKING FOR PROMISES

Mr. SASSER. Mr. President, the next 10 hours will be a period of some expectancy, I expect, throughout the country and certainly in this, the Capital City of the United States. Perhaps it is not too much to say that tonight's State of the Union Address will mark the defining moment of George Bush's Presidency, the moment when he persuades us if he really does have a domestic policy for the United States. It is no secret that hopes are very high. I know I speak for the people of my State in wishing the President the very best. If ever a speech mattered to them in the last few years, this is it.

The American people are not looking for promises tonight, they are not looking for grandiose rhetoric, and most certainly they are not looking for artful evasion. The time has come for this President to lay out an economic recovery program and articulate a vision for the future of this country that has been sadly lacking.

Some have called on the President to produce the economic equivalent of the Magna Carta this evening. I expect that is an overstatement that raises expectations beyond what could possibly be realized. But as the very minimum, the President must produce this evening a recovery plan for this country that addresses the problems as they are and produces a program that can be made into legislative reality. I think the current moment demands at least that much.

What is the condition of the country on the eve of this State of the Union Message? Mr. President, I am sad to report that there are 24 million of our country men and women, 1 in 10 Americans, receiving food stamps today for survival. And many of these food stamp

recipients are people who have never received food stamps in their lives. We are seeing middle-class citizens, people who held middle-management posts now receiving food stamps, they have been unemployed for so long. You are going to have a hard time making a case to these people that things really are not as bad as they seem. For millions of American families, they are every bit as bad as they seem.

I think it is important to take a close look at the country that George Bush will confront this evening—the country that is waiting for words of hope to fortify a faltering national confidence.

The highly respected, nonpartisan Congressional Budget Office told the country just last week that the economy is dead in the water. In truth, that is an optimistic assessment because dead in the water implies that at least we are floating. When you look at the Congressional Budget Office's own analysis, however, it appears that we may be sinking once again. The Congressional Budget Office projects that our economic growth rate turned negative again in the fourth quarter of 1991.

We note, by looking at this chart that comprises the period from 1989 through 1991, that there was very tepid economic growth in the four quarters prior to the sharp downturn that occurred beginning in the fourth quarter of 1990 and carried over into the first quarter of 1991. Then we saw a very modest attempt at economic recovery, and then in the fourth quarter of 1991 again falling off into negative economic growth.

In its simplest terms, what that means to economists is that this country hangs on the very cusp of a double-dip recession. There is great doubt about whether or not we are going to inch our way out of this economic recession or whether we are going to plunge downward once again into even deeper economic contraction with loss of jobs and attendant human suffering.

It is a devastating pattern of stagnation as we look at this chart, stagnation that continued through almost all of 1990, finally culminating in a very sharp recession, cycling back up to a period of economic stagnation, and then falling off once again into what looks like the beginning of a recession.

This pattern flies in the face of what we have been led to believe and what we have come to learn about post-World War II recessions. Post-World War II recessions have been normally followed by periods of robust recovery and robust economic growth, periods in which employment expanded, economic growth simply exploded in some instances, and the standard of living went up dramatically.

As most economists are now confirming, however, we are now in uncharted economic waters. No one in this country, including the Chairman of the Fed-

eral Reserve Board, is willing to predict with any degree of certainty that monetary policy alone is going to give us even the mild recovery that has been predicted by the Congressional Budget Office.

In the haunting words of the Federal Reserve Board Chairman, Dr. Alan Greenspan:

There is a deep-seated concern out there which I must say I have not seen in my lifetime.

So says Dr. Alan Greenspan, the Chairman of the Federal Reserve Board.

Another thing that Dr. Greenspan has not seen is a recession as long as the current recession. This recession now stands at 18 months and running. This recession is the longest we have seen since the Great Depression of the 1930's.

This chart indicates the duration of post World War II recessions. We have had eight post World War II recessions beginning in 1948 and extending up to the current recession of 1991-92.

All of these recessions have been considerably shorter than the present downturn. If we look at the red bar of the chart, we see the current recession is longer than any recession we have experienced since World War II.

Some have tried to say, well, maybe the recession has been a long one but it has not been as deep as past recessions, it has not been as deep as the recession of 1982-83 and therefore it is not as severe; it has just been shallow but long, of course.

To those who take such a view, I ask them to tell that to the citizens of Hancock County in my State of Tennessee. The schools in Hancock County will close on February 14 because the recession has literally devastated the tax base of that rural county. And tell it to the people of Campbell County, Wilson County, and Cannon County in Tennessee, where the schoolbuses are no longer running and where the schools are approaching a drop-dead date in the very near future because of the devastation to the tax base of those counties as a result of the duration of this recession. Or tell it to the workers of General Motors, the 74,000 who are slated to be laid off. Or tell it to the workers of the IBM company, that once proud flagship of American entrepreneurship which is now laying off thousands of employees. Or tell it to Xerox or tell it to the employees of Du Pont, people who have heard the layoff announcements by the tens of thousands and who are waiting to see if the ax falls on them or on a fellow worker.

It used to be they just laid off the blue-collar workers. That is not happening anymore. The layoffs extend now up through the blue-collar ranks, into the white-collar ranks, up into middle management. And they are not just layoffs anymore. They are permanent job terminations.

If we look at this chart which chronicles the unemployment problems of this country, we see that at the present time the official unemployment rate tells less than half the story. The black bar represents the unemployed, and they stand at almost slightly over 8 million. But look at those who are underemployed, those who are working part time but want to work full time. They cannot work full time because they cannot find full-time jobs in this economy. How about those represented by the blue line who have been looking for work for so long without success that they have become discouraged; they are not looking anymore. They no longer go to the State unemployment offices, so they are no longer carried on the rolls.

When you add all of these, you find that 16.3 million of our fellow countrymen, fully 13 percent of the work force in this country, either cannot find jobs or are reduced to working part-time jobs because they cannot find full-time jobs.

Now, that indicates an increase of almost 4 million people who have suffered severe job dislocation as a result of this recession.

And remember, this comes in the administration of a President who promised to create 30 million new American jobs in 8 years when he took office. I am sorry to say that that has been one of the most hollow promises in recent Presidential history.

I call the attention of my colleagues to this chart. As this chart shows, the anemic job creation that characterized the first 2 years of the Bush Presidency has given way to a net loss of 5,000 jobs. The line running from January of 1989, when George Bush was sworn in as President of this country, follows the 30 million new jobs that he pledged to create over 8 years. We take it out to the end of his term here at 4 years which would represent 15 million jobs. This was the promise.

What has been the reality? This line represents the reality, and as you see it is down here at the very bottom. The reality is that the American economy had a net loss of 5,000 jobs since George Bush took office rather than the 15 million that he promised to create during the first term of his administration.

The job creation pledge is not the only forecast that seems to have gone awry. When the Bush administration took office in 1989, it projected that the economy of this country would grow at an annual rate of 3.3 percent in real terms corrected for inflation. What has been the performance when contrasted with the promise?

The actual average for the 3-year period has been 0.6 percent. Here we have the promise, and here we have the performance down near the bottom of the barrel.

The result is that there is an accumulated gap in economic growth of al-

most 7 percent, which is the equivalent of roughly \$500 billion in unrealized economic growth.

Mr. President, I think this explains why the speech that the President makes this evening simply must serve as a turning point for the President and for the country. I think it is clear to any unbiased observer that we need a short-term economic stimulus to lift us out of this economic stagnation.

But the margin for error is very slight. Any stimulus package that is not well crafted, finely honed, and superbly targeted risks increasing our deficits over the long term, in which case the price of economic growth today will be long-term structural damage to the economy. But I would submit that a temporary well-targeted stimulus that sets the economy in motion will pay long-term dividends, and we will have a chance to again control our budget deficits while the economy is growing, which was not done to disastrous effect in the period of the late 1980's.

And with the economy growing, it means that we can reinvest in our country, can repair a damaged and deteriorated and inadequate infrastructure, and can meet the educational needs of our citizens. And here we are with education being our No. 1 concern. And I look into my State of Tennessee, and I see county school systems closing schools because of an inadequate tax base, all as a result of this economic recession which is devastating.

In the end, Mr. President, I would submit that President Bush's speech tonight will be judged by how precisely it measures the problem that confronts this great country and how carefully it targets the solution.

A grab bag of promises will not do the job this time. A few giveaways just will not measure up this time. Telling all the many interest groups what they want to hear in a State of the Union Message is not going to correct this downturn. That is a nonsolution, a prescription for letting the bad times continue to roll.

Tonight the President of the United States must light a torch. He must lead the American people out of the tunnel, the tunnel of economic stagnation, the tunnel of despair, the tunnel of human suffering, the tunnel that is sapping the very moral strength of this country, just as it zaps its economic vitality.

All Americans this evening will be looking anxiously to the Nation's Capitol. They will be watching anxiously as the President speaks. All of us here in this body will anxiously await his leadership.

Mr. President, I yield the floor.

Mr. BENTSEN addressed the Chair.

The PRESIDENT pro tempore. The senior Senator from Texas [Mr. BENTSEN] is recognized.

## THE PRESIDENT'S STATE OF THE UNION ADDRESS

Mr. BENTSEN. Mr. President, I want to congratulate the distinguished chairman of the Budget Committee for a very learned presentation, one who has recognized the problems of economy of this country and has been forthcoming with meritorious proposals to help turn this country around.

I appreciate his contribution to it.

Mr. President, when President Bush delivers his State of the Union Address tonight, that is a speech that some have said is going to be the most important speech that he has made in his entire career. I think it may be a unique opportunity for some true bipartisanship. That opportunity is not going to come with soothing words or conciliatory words from an anxious President with his eye on New Hampshire.

The opportunity will exist because many of the proposals likely to be offered by a Republican President are in effect from the Democratic agenda of 1991. And in the competition for ideas the Democrats have had a real advantage in this because we recognized the existence of the recession a year ago. And we came forth with a program to combat it.

The President and his advisers spent most of last year denying that the economy was in serious trouble. And when they finally recognize that we had a recession, then they claimed that it was already over, and that we had nothing to worry about. It was not until unemployment stagnation and plunging polls became undeniable that the administration faced up to the fact of the recession, and said they were going to solve it all in this speech on January 28.

Of course it is impossible this morning to know precisely what the President is going to say tonight. But the carefully orchestrated campaign of leaks which built to a crescendo over the past week gives us some idea of what may be in store. Yet, the frustration is, as late as last night the administration was retracting, changing its program on health care, representing some of the divisions that you see in the Republican Party as to what they think should be done, divisions that a strong President ought to be able to overcome.

There is hope that the President has been listening carefully to some of the Democratic calls for tax fairness, for deficit reduction, economic stimulus, health care reform, education, a trade policy that makes sense for America.

I sincerely hope the President is not going to be satisfied with easy short-term election-year sound-bite answers. There is an element of irony in the fact that the education President—the education President—has 3 years of neglecting educational policy, has come up with more money for Head Start,



possibly the most enduring legacy of the New Frontier.

Mr. President, can anyone imagine that 30 years from now an American President will be visiting a school to pay homage to an educational program put in place by this administration?

I sincerely hope the President's address will be as significant and far reaching as advertised. The country is in trouble. The economy is dead in the water. We do not need another political statement for the campaign.

We need an administration that is ready to face up to these issues, face up to the answers that are so obvious outside the gates of the White House. We need the President to provide some candid answers to some very serious long-term problems.

Let me give you a few examples of what I mean. Anyone who has looked at the state of the American economy will recognize a desperate need for higher rates of savings and investment. We are trying to compete with the Japanese for a rapidly expanding world market.

It is very difficult, perhaps impossible, to succeed in that competition when the rate of savings in Japan is over three times what it is in this country, over twice as much in West Germany as it is in this country; difficult to succeed in that competition with the Japanese with a population two-thirds of ours outinvesting America dollar for dollar by 30 percent.

That is one of the reasons their productivity is so high. Their industrial plants average 10 years of age; ours average 17. They are able to move new products from the research lab to the market faster than we can. We need to increase the rate of savings and investment in America, and one of the best ways to do that is to bring back the IRA for all the workers.

We also need to provide for penalty-free withdrawals for college education expenses, first time home buyers, and major medical bills. I hear the President is going to propose some important changes in the IRA. I hope it is not one that just represents the shift in savings with just the so-called back end IRA, because last year I proposed changes in that IRA that now have 77 Senate cosponsors on both sides of the aisle. Senator ROTH is one of the leading sponsors of it.

Here is an approach on which we can work together, Republicans and Democrats, liberals and conservatives, to increase savings and investments by tapping the over \$500 billion of locked up IRA money, 401(k) money, and encouraging millions of American workers to save for the future.

If I read the leaks correctly, the President may also propose some overdue tax relief for middle-income American workers, for the people who are the primary victims of this recession.

I think the President will find some sympathy in the Congress for those

proposals. The Democratic leadership in both the House and in the Senate make similar suggestions, and we welcome the President's interest in tax fairness. Working families that have seen their real incomes go down while their taxes went up deserve some of the relief that has been showered on the wealthiest people in our society.

The 34 million Americans with no health insurance, no cushion against medical expenses that can mean financial disaster, are also going to be listening carefully to the President's comments on health care reform. I am afraid they are going to be disappointed in the thin gruel of tax credits.

Certainly, there has been no evidence over the past 3 years that the President is prepared to face up to the complex, costly, and controversial issue of health care. This is an administration that has tried to pigeonhole that issue, put it aside, until after the next election. It is also evident that the American people are not ready to wait another year for progress.

Democrats have heard and they have reacted to that concern. We proposed a variety of answers that range all the way from guaranteed health insurance for every American, to attempts to treat the most severe symptoms of the problem. But it is obvious that we cannot move very far or very fast until we get the White House involved in that dialog, in that debate. And to date, the administration has steadfastly refused to join us in a bipartisan, concerted approach to the health care concerns of America.

It is also safe to assume that the President will have something to say about trade policy and the importance of opening up foreign markets to American exports. This country has suffered a decade without a trade policy, and we have paid a heavy price for that neglect. We have exported more than 2 million high-paying manufacturing jobs. We have accumulated a trade deficit that is measured in the hundreds of billions of dollars.

Mr. President, I am aware that trade policy is a complex, very important subject, but I also realize that, as in so many complex and important areas, there are basic fundamental truths that apply.

In the area of trade, I believe—and many Democrats agree—that one of those truths can be summarized as follows: We are for free and fair trade, but we must insist that countries selling in our markets must provide us with equal access to their markets. It is that simple and that important.

But for years America has been strangely reluctant to stand up for its rights in trade. Our policy has been to turn the other cheek. We cling to easy talk about open markets and level playing fields. There are occasional sporadic attempts to negotiate in our national interest.

Finally, just a few weeks ago, the President decided to highlight the importance of trade, so he headed up a trade mission to the Far East. I would hate to think that journey will stand as the last word on American trade policy for the nineties. Whether the issue is health care, or incentives for savings and investments, whether the issue is tax fairness, or economic stimulus to help turn our economy out of a recession, whether the issue is education, or policies to increase research and development, America is going to be paying close attention to how the President proposes to pay for those programs.

In my position as chairman of the Finance Committee, I have supported a policy of explaining how I would pay for every policy I have proposed. I believe we should be using a portion of the peace dividend to pay for an economic stimulus package, a new initiative on infrastructure and health and education. I want to break down the so-called firewall between defense and nondefense spending contained in the 1990 budget agreement. Those underlying reasons for erecting that wall no longer exist.

Today, the greatest threat to our future as the most powerful and prosperous Nation in the world is not military, but economic competition, and we must use our resources to make our people and our economy more competitive. However, I also believe we should maintain the basic structure of the agreement in order to preclude any increase in the deficit, because if those spending limits are breached, we could end up with a bidding war on tax relief that could set ourselves back into deficit reduction efforts by a decade.

When he makes his proposals, the President must give us an honest, straightforward idea of how he plans to pay for them. We do not need any creative accounting or economic logic that requires some leap of faith, and we certainly do not need to increase the deficit.

Mr. President, this is clearly an important moment for the American economy. I am pleased we have the President's attention. I look forward to what he has to say to the Nation tonight. I am prepared to work with my colleagues in the Senate and with the administration in the effort to get our country back on the path of growth and opportunity.

The case for change is compelling. There are a series of excellent proposals on the table and, hopefully, the President and his administration are now ready to join with the Congress in building a more secure and a more prosperous future for America.

Mr. President, I see my colleague, the distinguished chairman of the Joint Economic Committee, who played a major role in proposals to try to help turn this economy around. I look forward to hearing his comments.

The PRESIDENT pro tempore. The senior Senator from Maryland [Mr. SARBANES] is recognized.

### THE ECONOMY

Mr. SARBANES. Mr. President, I commend the very able chairman of the Finance Committee, the distinguished Senator from Texas, and the very able chairman of the Budget Committee, the senior Senator from Tennessee, for their very powerful statements here this morning on the floor with respect to the economy. Also I particularly want to acknowledge the very strong leadership which they have shown in trying to address economic issues over the course of 1991, as the Nation moved through the longest recession since the Great Depression.

We are in the longest recession since the 1930's. Now, at 18 months, it exceeds in length any of the post-World War II recessions.

Mr. President, yesterday, the New York Times carried a story with the headline, "President's Message Expected To Lay Out Plans for a 'New Domestic Order.'"

It goes on to quote officials of the administration. One official said, "Everyone agrees that Bush has to lay out a sense of what the next 5 years will be like."

The administrator has talked about this being the most important speech of his Presidency and it comes at a time when the Nation faces an economic situation which we have not confronted for a very long time.

The economy is in serious trouble, perhaps the worst trouble since the Great Depression. The most recent economic indicators paint a grim picture of the current state of the economy. Virtually all of the economic data which we have received over the months of November and December and into the new year indicate the economic decline which started in the summer of 1990, roughly 18 months ago, is continuing and getting worse, making this the longest sustained downturn since the Depression.

Many key economic indicators suggest that this weakness is likely to persist for months into the future.

Mr. President, the index of coincident indicators is an index which includes payrolls, industrial production, personal income, and sales. These are indicators which are perceived as tracking the current pace of economic activity. When one stops and thinks about those, you can see that combined they would give you a good picture of the current pace of economic activity.

This index fell eight-tenths of 1 percent in November. Beginning in December of 1990, there was a very precipitous drop in this index. It leveled off in midsummer. It started down again as we came into the fall period, and then it took a precipitous drop in

November. It is now at the least point of any time during this recession, lower even than last March, which many have considered to be heretofore the trough of the recession.

In addition, consumer confidence has plunged 35 percent during the last 6 months. There was a drop in consumer confidence at the early stages of the recession. It came back up again, and now it has dropped once more and is now at a lower level than it was in the 1981-82 recession, which was the most severe recession we had experienced since the Depression.

Retail sales and industrial production fell in December for the third month in a row. Real compensation per hour has fallen by almost 3 percent over the past 3 years.

It is very important to underscore that not only do we have an unemployment problem, but those who are working have found that their compensation adjusted for inflation has fallen over the last 3 years. So those who are working, except people at the very top of the income scale, have found that their standard of living has slipped because their compensation adjusted for inflation has fallen by almost 3 percent over the past 3 years.

The job outlook for 1992 appears to be grim. The number of people filing initial claims for unemployment insurance has risen steadily for the past 6 months and is back to where it was a year ago when the economy was in steep decline.

This chart shows the average weekly initial claims for unemployment insurance. This was the situation at the beginning of 1990. Then last summer, as we moved into recession, the claims for unemployment insurance rose dramatically. Then it dropped—a very welcome development. In other words, the number of people putting in claims weekly decreased and now it has started back up again and is beginning to approach the peak which it had reached earlier in this recession.

In December, the official unemployment rate, which was announced on January 10, rose to 7.1 percent. That is the highest level during this recession. In this recession, we had not gone above 7 percent; we are now at 7.1 percent, the highest level during this recession, and this rate excludes a number of important aspects of unemployment in this country.

My able colleague, Senator SASSER, earlier indicated that the official unemployment rate does not count discouraged workers—workers who have become so discouraged by job prospects that they drop out of the labor force. In December, there were over 1 million discouraged workers, and there were 6.3 million workers who want to work full time but can only find part-time work. They want full-time work. They are looking for full-time work. They need full-time work. But they can only find

part-time work. They are counted at one-half in terms of calculating an unemployment rate.

The Bureau of Labor Statistics calculates what they call the comprehensive unemployment rate that includes not only the official rate but also discouraged workers and the people wanting full-time work who are working part time. If you count them all together, the comprehensive rate in the last quarter of 1991 was 10.4 percent. In other words, double-digit unemployment.

In addition, there has been a slow growth of the labor force during this recession. If the labor force had grown as normally expected, the rate would have been almost 1 point higher than it is today; the 10.4 would have been 11.2 percent.

It is estimated that last year 20 million Americans experienced some unemployment during the course of the year. They were not all unemployed at the same time, but they experienced some unemployment during the course of the year. So unemployment has touched literally 1 out of 5 American families.

The number of long-term unemployed, those out of work for 27 weeks or more, rose in December to almost 1.5 million. That is more than double the long-term unemployed at the beginning of the recession.

At the beginning of the recession, we had a little over 600,000 people unemployed 27 weeks or longer. That has now risen to just under 1.5 million.

During the past 3 months, payroll employment in private business fell by 335,000. Private sector employment in December was lower than at any other time during the recession. And, as Senator SASSER indicated in his statement, many of our largest companies are planning massive layoffs in 1992. General Motors announced that last month. It has now set off a bidding war amongst communities and workers in order not to be one of the communities in which a plant is to be closed down.

For months, the administration encouraged the American people to ignore the problems of the American economy. We were given this siren song that the recession is going to be short and shallow; that it would be followed by vigorous renewed economic growth; that we really did not need to do anything. All through 1991, that was the litany.

Beginning back in February 1991, just under a year ago, the President's Chief Economic Adviser, the Chairman of the Council of Economic Advisers, said:

Our outlook is that the economy, after a relatively brief and mild recession, will rebound by the middle of the year. The recession will be rather shallow and short.

President Bush, on February 12, 1991, in his economic report said:

The current recession is expected to be mild and brief by historical standards.



Mild and brief by historical standards? The current recession is now the longest in the postwar period. The number of long-term unemployed is now at 1.5 million. The unemployment rate, the comprehensive rate, is at 10.4 percent. The official rate, 6.9 percent for the last quarter of 1991. It was 7.1 percent in the last month of 1991. That 7.1 percent is the highest since this recession.

Then we receive the same litany. In June, Marlin Fitzwater, when we had an unemployment rate of 6.9 percent, said:

We still believe that the recession is ending and we are on the road to recovery.

In July, Michael Boskin, Chairman of the Council of Economic Advisers, reacting to the 7-percent unemployment rate in June said:

We would like to see people have an understanding that this turnabout is coming. We believe the recovery has begun.

These comments continued throughout the summer. Budget Director Darman said:

The economy is turning up.

In July, he said that "the economy is turning up, the recession has ended, and we are turning up," and on, and on, and on. I regret to say, Mr. President, this continued even into November just 2 months ago.

On the 1st of November, the President said:

The economy has turned the corner and is headed for a recovery.

On November 13, 1991, the President said:

I don't believe this country is in a recession.

Finally, late last year, the administration seemed to recognize the seriousness of the economic situation. We must break with this Hoover-like attitude of this administration that prosperity is just around the corner. We must take positive and immediate action to get the economy moving again and end the downward economic spiral that has made this the longest recession in 60 years, second only to the Great Depression itself.

The President said that we would wait for the State of the Union Message for his solutions to our Nation's economic problems. Despite this downward move of the economy over a number of months, the President refrained from coming forward with a proposal. Now the President speaks tonight. I hope he will recognize that real economic problems face the people of this country and they call out for real solutions.

There is a strong national consensus that a change of course is urgently needed. The latest cover of Business Week articulates this consensus. It says: "Wanted: An Economic Policy."

And the editorial accompanying the cover story notes:

There is a fairly broad consensus that the economy is suffering from neglect and needs

fixing. The President and his advisers have been slow to recognize the serious problem we face. And by misstating how bad the economy was, they blocked the developments of proposals which would come to grips with the problem.

The administration would not recognize the problem. How can you have an economic policy, a program, if you say there is "No problem"? That is what we have heard for almost a year from the administration: "No problem."

The people out on the street know there is a problem. The unemployed workers know that there is a problem. The people working part time know that there is a problem.

Mr. President, what remains to be seen is whether the administration not only will recognize the problem, but have a plan adequate to the serious nature of the situation we confront.

I just want very quickly, Mr. President, to set out what I think would be important components of any significant economic policy.

A serious change of economic direction will require a plan which, first, provides enough stimulus to bring the economy out of recession and back to a reasonable rate of growth within a short period of time. We are paying a heavy price for this downturn, including the addition of some \$70 billion to the national deficit.

Second, it would end the stagnation of wages and compensation which has plagued the American economy over more than the last decade, so that those who are working find that instead of getting ahead, they are slipping behind.

Third, it should reverse the trend toward growing income and wealth inequality in this country. The Federal Reserve Board recently came with a report which showed a major concentration of income and wealth at the top end of the scale.

Fourth, it should restore the ability of State and local governments to maintain essential services and investments during the recession. State and local governments are cutting back on the very services that the people need: police, fire, and education. They have postponed major infrastructure projects, which are absolutely essential, which would put people to work. The mayors and Governors have assured us that if the Federal Government could provide help to them, they could move these projects immediately—immediately—and have people working within a matter of weeks.

A plan needs to respond adequately to the human suffering caused by involuntary unemployment. It is a shame upon the administration that they forced the unemployed last year to wait from August until Thanksgiving before they extended unemployment benefits. We need to address that problem, and address it right away.

The administration needs to end America's status as the industrialized

country with the lowest rate of investment. As Business Week put it in their article, the "U.S. Has an Investment Deficit."

Next, they need to reverse the decade-long assault on public investment, which most economists now concede is a vital partner for expanded private investment. We need both public and private investment to build a strong economy, and the investment in the public sector is integral and essential to the advancement of the private sector. As an executive of a trucking company said to me, if his truck sits for 4 hours in a traffic jam, that is coming straight out of the productivity of that enterprise. If people come out of the schools unable to function because they are functionally illiterate, that is right out of the productivity of the private enterprises that are employing those people. In addition, the administration needs to address the credit crunch and restore the willingness of financial institutions to extend credit for economically viable projects.

As that list indicates, there is an important test of the seriousness of the President's economic policy proposals. Proposals for tax cuts in and of themselves are not a complete economic plan. Changes in tax policy may be part of a viable plan and need to be examined, but, alone, they are not the substitute for an economic plan. We face a range of economic problems. The President needs to recognize the breadth and depth of the challenge, the breadth and depth of the unemployment here at home, and the challenge we are confronting internationally from our trading partners. We need to move the economy out of recession to address the investment deficit, to address the stagnation of wages and compensation for working people, middle-income Americans, to reverse the trend toward growing income inequality, and to allow State and local governments to move forward and restore the investment in our Nation's future.

We are looking to the President tonight not to give us a handful of palliatives—so-called panaceas—but to come in with a comprehensive economic policy that will move the Nation out of recession and restore long-term prosperity to the U.S. economy.

Mr. President, I yield the floor.

Mr. KENNEDY addressed the Chair.

The PRESIDENT pro tempore. The senior Senator from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY. Mr. President, I ask unanimous consent to proceed as in morning business.

The PRESIDENT pro tempore. The Senate is transacting morning business at the present time.

Mr. KENNEDY. I ask unanimous consent to proceed for 15 minutes.

The PRESIDENT pro tempore. Without objection, the Senator may proceed for 15 minutes. The Senator is recognized for 15 minutes.

## DEMOCRATS AND EDUCATION

Mr. KENNEDY. Mr. President, when a nation suddenly falls into decline, losing its influence and power, historians probe its policies to determine the cause.

Today, historians are carrying out such analyses on the Soviet Union. But in future years, they may also be exploring the cause of America's decline. How is it, they may ask, that a nation so blessed in its freedoms, so rich in natural resources, so proud of its institutions, suddenly fell into decline? How is it that nations we once sheltered came to overshadow us in vitality and prosperity?

One of the principal causes may well be the failure to devote sufficient attention and resources to the education and training of our citizens. Nations that invest in high-quality education and training will outperform nations that do not make similar investments. The issue is not simply more spending but better spending—focusing our initiatives on efforts that we know will work and can get the job done.

In a recent survey of employers, two-thirds answered negatively when asked about the overall preparation of recent students to hold jobs. That is not surprising, when we consider that roughly 15 percent of the Nation's high school seniors are competent in math according to a recent national analysis. Moreover, in one international study, our 13-year olds ranked last in ability to solve math problems. We cannot expect to compete in tomorrow's global economy when today's students are already far behind those of other nations.

Education is the lifeblood of our national strength. Whenever the Nation has faced new challenges, one of our first responses has been to redouble our educational efforts.

When the Depression persisted in the 1930's, President Franklin Roosevelt established the Civilian Conservation Corps to provide jobs, training, and basic education for unemployed youth, and he established the Federal Government's first student aid program to help college students stay in school. In the late 1950's, President Eisenhower and Congress responded to the launching of Sputnik by enacting the National Defense Education Act, which made new assistance available for college student aid and expanded programs to train math and science teachers.

In the 1960's, wrestling with the threat of communism abroad and the specter of poverty at home, Congress passed landmark legislation establishing ground breaking programs that are still important today: the Vocational Education Act, Head Start, the Job Corps, and the Elementary/Secondary Education and Higher Education Acts with their indispensable assistance to low-income school districts and the vitally important student aid programs, such as Pell grants and Stafford loans.

But today, when the economy is stalled and our education system is under serious challenge, we seem to have lost our will. We talk about the need for a new commitment to education. We have a President who wants to be called the education President. But when the time comes for action, the administration fails to follow through.

If President Bush wants to be the education President, he has to do more than talk about it. He has to take concrete steps to correct the Nation's serious educational deficiencies.

First, he should commit himself to a major additional investment in the proven programs that will help assure that students start school ready to learn. Head Start, WIC, and immunization programs are not just frills—they are the essence of the Nation's investment in young children. A recent study by the Carnegie Foundation for the Advancement of Teaching concluded that more than a third of the Nation's 5-year olds are not ready for school when they start kindergarten. Many of those who start school behind will never catch up. And the Nation will pay a heavy long-term cost for its failure to make a modest investment in the early childhood programs that are so important to our youngest citizens.

Second, the President should move to full funding of the Chapter 1 Program, which serves the economically disadvantaged. Every evaluation of this program has pointed to the gains in student achievement that flow from it. Yet the program still serves only half of the Nation's eligible students. Instead of adequate funds, the administration has focused on an effort to turn chapter 1 into a voucher program, so that Federal aid can go to private schools.

Third, the President should support additional investments in college aid—Pell grants, guaranteed student loans, supplemental grants and work study. America is notable for widespread access to higher education. No other nation in the world makes postsecondary opportunities available to so many of its citizens. This commitment is an important engine of economic growth and social progress.

We must make sure that the doors of higher education are not closed because students cannot afford the costs. The Federal student aid programs have helped millions of students, and those who have received the assistance have gone on to make important contributions to the Nation and to our national well-being.

The President should also endorse new initiatives in job training for the large numbers of high school students who move directly into the labor force. Existing programs should be reviewed and revised and expanded to assure that these students—the Nation's frontline work force of the future—will

be well-qualified for their careers. Congress is far ahead of the administration in offering solutions to these problems, and this is an area when leadership is especially urgent.

In other areas as well, we need more effective action. The number and quality of school teachers is low. We must increase our commitment to having the best teachers in the world. Again, the administration's proposals in this area fall short of what the Nation needs.

The President should also do more to help combine the social services that children need and make them more accessible. Students cannot succeed academically if they are suffering health, social, or family problems. Yet efforts to consolidate existing programs and make it possible for students to obtain them in one place have suffered because of the lack of leadership.

Finally, the President should make a set of concrete proposals with respect to educational standards and testing. The administration has talked about this complex and controversial issue, but it has not put forward concrete proposals to address it. I have introduced legislation in this area, as has the chairman of the Education Subcommittee, Senator PELL. Democrats in the Senate want to make this happen, but we need the leadership and support of the administration.

The Nation's education needs are immense. But so far, the President has been content with endorsing goals rather than laying out comprehensive proposals for reform. Choice and privatization are not adequate answers to the serious challenge of school reform.

It is easy to predict what the President will recommend in his education budget. Since this is a year divisible by four, the President will propose to boost education spending. All Republican Presidents want to increase the Federal investment in education in election years. Look at the record. President Reagan proposed increases in education spending in 1984 and 1988. But in every other year—when he was not running for reelection—he suggested cuts. President Bush has not proposed cuts in education spending—but he has not proposed significant increases either. But in this election year, the President is likely to rediscover the virtue of a substantial increase.

Consider the President's recent budget proposals for Head Start. That program, which provides education, meals, and health services for preschool children from low-income families, is one of the most successful social programs in the Nation's history. Studies have shown that participants are twice as likely to be employed and 50 percent more likely to have graduated from high school in comparison with nonparticipants. For every dollar spent on Head Start, the country saves al-



most \$5 in later social costs. But at present, fewer than 30 percent of eligible children are served by Head Start.

On many occasions, President Bush has paid lip service to Head Start. For 1992, he proposed a \$100 million increase in funding. When we asked why the administration proposed such a small increase, we were told that more money could not be absorbed at the local level. At that rate it would take another 180 years before all eligible children are served.

This year, in an election year, President Bush has decided that the time has come for a substantial increase for Head Start and he has called for \$600 million in new funds. I welcome the increase, but it is difficult to regard it as more than an election-year handout based on an election-year conversion.

The President has also put forward his version of education reform for the Nation's elementary and secondary schools. We all know that the Nation needs to improve student achievement in all its schools. What the National Commission on Education Excellence noted in 1983 is true today—we are a nation at risk. We ignore the poor performance of our schools at our peril.

But the President's proposal was disappointing. The administration's plan had two basic ideas: using public funds for private schools, and creating 535 new schools handpicked by the Secretary of Education.

The President would have us believe that 535 new schools, public funds to private schools, and an election year infusion for Head Start are the road to education reform. Instead, America needs to undertake a broad-based effort to improve all schools, from preschool through graduate school education.

Our Democratic proposal to improve American education and reach the national education goals has four parts:

First, we must make Head Start available to every eligible 3-, 4-, and 5-year-old child in the Nation. Expanding Head Start is the single most important step the Federal Government can take to improve American education. The value of Head Start is unquestioned and our commitment to it must be steadfast and unwavering. Legislation pending before the Senate, S. 911, will accomplish this purpose, and I hope the Senate will have a chance to take this measure up very soon.

Second, we must provide funds for restructuring elementary and secondary schools. Unlike the President's plan, which targets resources for too few schools, the Democratic proposal seeks to encourage education reform throughout the Nation. Across America, teachers and administrators are trying innovative ideas to bring the spark back to learning—but too often they cannot fully realize their plans because they lack the necessary funds.

Under the Democratic initiative, money will be made available to local

public schools to implement their own school improvement programs. To qualify for continued funding, a school will have to demonstrate measurable progress in meeting goals for academic achievement. Some of the funds under the Democratic plan will be available for statewide reform efforts to boost student achievement. The focus of the Democratic plan, however, is threefold: public schools only, school-designed and implemented reforms, and accountability for the results.

Third, we must increase college aid for working and middle-income families. Today, more and more families are feeling the burden of the recession, wondering if they can still afford to send their children to college. Yet last year President Bush proposed to restructure Pell grants so that funds are available only to students with family incomes under \$10,000. We must move in the opposite direction. Income ceilings and needs-test restrictions must be reformed so that children of working families are not squeezed out of higher education. The Labor Committee has reported out a bill to reauthorize the Higher Education Act that will extend and expand Federal student loan and grant programs, and the Senate will consider this bill in the coming weeks.

Finally, we must develop new programs to support the transition from school to work and to improve the skills of our work force. The majority of young Americans enter the job market without a college degree. Yet all too often, we treat their entry into the work force as an afterthought, as if our educational responsibilities stopped at the schoolhouse door.

Democrats are committed to providing Federal support to improve school-to-work transition programs for noncollege-bound youth, and to foster ongoing skill development throughout every worker's career. Our proposal calls for:

The establishment of national standards for occupational training;

The creation of career preparation programs that combine academic education and mentored on-the-job training; and

Improved workplace education by requiring employers to invest at least 1 percent of their payroll in worker training.

It is interesting that Germany provides about 3.5 percent of payroll investment, France about 5 percent, other Europeans have comparable requirements. What we are basically talking about is just 1 percent, probably not sufficient but it is a down payment and it is in the correct direction.

Democrats recognize that the Nation faces a fateful choice: Either we make the investment in human capital necessary to compete with other nations by preparing our frontline workers for the new, high-tech workplace, or we

consign America to an irreversible future of declining wages.

None of these improvements in education will come cheaply. None will come easily. But in a time of serious economic challenge, no investment we make will be more important for the Nation's future.

We must not hesitate because of the difficult choices before us. Either we mean what we say about education, or we don't. Let the country decide. Let the American people be the judge.

I thank the Chair.

#### EXTENSION OF MORNING BUSINESS

The PRESIDENT pro tempore. The Senator from Connecticut [Mr. DODD].

Mr. DODD. Mr. President, may I inquire of the Chair as to how much time remains for morning business? I believe we are in morning business?

The PRESIDENT pro tempore. Morning business extends until 12 o'clock noon. The Senator was to be recognized for 30 minutes.

Mr. DODD. Mr. President, I would ask unanimous consent that morning business be extended until 12:10.

The PRESIDENT pro tempore. Without objection, it is so ordered. The Senator is recognized for 30 minutes and morning business will extend until the hour of 12:10 p.m.

Mr. DODD. Mr. President, I hope to be briefer than that, so we may actually conclude before the hour of 12 noon.

#### ECONOMIC TURMOIL

Mr. DODD. Mr. President, throughout our history too many from the political community have responded to recessions in the same predictable manner—with misguided optimism, denial, and inaction. Those seem to have been the standards by which previous periods in our history have responded to recessions, at least in their earliest days. Unfortunately, Mr. President, the current recession seems to be no exception in that regard.

For nearly 3 years now our Nation has been in economic turmoil. Since January 1989, job growth has come to a halt in this country. That was 3 years ago, Mr. President—not last week or last month, not even last year, but 3 years ago. Job growth basically came to a halt. Unemployment, as we all know, is now up to 7.1 percent in this country, the highest mark in 5 years. And yet, Mr. President, I know of no one who believes this number is an accurate reflection of the real unemployment in our country. Most believe—and I think correctly so—that the number of unemployed is far higher than the number of 7.1 percent would reflect.

Weekly earnings are down. Housing starts have plummeted. Mr. President, the statistics go on and on that would

indicate how much difficulty our country is in economically.

These conditions, of course, did not appear overnight. They have been visible for years. Structural changes are taking place. Manufacturing jobs have been disappearing at a precipitous rate since the early 1980's. Sadly, and tragically, Mr. President, I believe many of the jobs eliminated over the last 2 years are gone for good.

Mr. President, these fundamental changes demand strong leadership. Our world has changed. That is obvious. We have desperately needed leadership to pull us out of these conditions, and we have desperately needed leadership to prepare us for the challenges of this decade and the next century.

Unfortunately, until last month, on the 17th of December, 1991, almost 3 years from when the recession began, the President refused to recognize the changes happening across our country. Incredible as it is to believe, our President even refused to admit that we were in a recession, until a little more than a month ago.

In my home State of Connecticut, the recession has hit us as hard as—if not harder than—any other State in this country. Mr. President, I have met with people who have lost jobs, seen their businesses fail, and seen their families broken in the last several years. Many rightfully wonder how a nation with so much material wealth could have such poverty and pain. Many wonder how a nation so rich in natural resources could be so short on compassion and human decency.

Mr. President, like many other Members of this body, I have met with dozens and dozens of my constituents over the past number of months to hear firsthand what they and their families are going through. Mr. President, I met with Abe Goldin of Milford, CT, who has not been able to find work as a printer, despite 39 years in the business. At the height of his profession, he was making over \$16 per hour. At a field hearing this past fall, he told me, Mr. President, that he would be lucky to find work for half of his former salary, if he could find any work at all.

Pamela Shea is a single mother with two children who lives in Meriden, CT. She was laid off last May by the Connecticut State Police Department. When she came before our committee in September, 4 months later, she told us how she was struggling to make ends meet, and it was almost impossible for her to care for her two children and search for a job at the same time.

Mr. President, I found that no one is safe or immune from this recession. Just this week, I received a haunting letter from a West Hartford resident named Allen Stenhouse. Mr. Stenhouse was a business manager at an insurance agency making close to \$50,000 a year. He was laid off 3 years ago and

still has not been able to find any work. Within 30 days, he wrote, he will be filing for bankruptcy.

Mr. President, these are three individuals, but they reflect what is going on in thousands and thousands of homes across my State, across my region of the country, and across this great Nation.

These are people who are hard-working Americans, people who have never been without work, people who have acquired skills, people who have acquired professions, people who have provided for their families, people who have been committed and have given to their communities, people who were involved. Yet, these individuals reflect what is going on day after day, hour after hour. Families are, for the first time, finding themselves incapable of providing for the basic needs of their own families.

For these and other Connecticut residents, Mr. President, our Nation's leader has shared just one piece of advice: Wait for the State of the Union Address. Well, expectations are very high today in our Nation's Capitol. Mr. President, people are desperately seeking solutions. They are tired of speeches and rhetoric. They clearly need leadership and, more particularly, they want action.

Hopefully, tonight's speech will offer the catalyst for the President and the Congress to work together, to set our economy back on track. We need to adopt—I think all would agree—solid, long-term solutions for the people, not only of my State but for the people of this great Nation.

Connecticut has been hit early and hard by this recession. In the last year alone, we lost 100,000 jobs in my State. Bankruptcies have gone up 220 percent in the last half of 1991, as compared to the year before. This December, Connecticut entered its 32d consecutive month of job losses, the longest economic downturn since World War II.

Frankly, Mr. President, in certain sections of my State, the unemployment rates are now higher than they were at the height of the Great Depression. Incredible as that is to believe, that is how tragic it has become in certain sections of my State.

The immediate future looks no better. In fact, for the period entering January 18, just a week or so ago, unemployment claims in Connecticut rose by more than 35 percent. The people of my State have not had it easy for the last couple of years, Mr. President. We have been losing high-paying, skilled manufacturing jobs since 1982. We have suffered through a State budget crisis that has left citizens and State lawmakers bitterly divided, to put it mildly.

Lately, the people of Connecticut have been met almost every day with news of another layoff in the defense industry. Just last week, United Tech-

nologies Corp. announced it would drop nearly 7,000 Connecticut workers from its payroll over the next couple of years and 14,000 people nationwide.

Some 18,000 employees of the Electric Boat Division of General Dynamics are waiting anxiously for this evening's speech and the budget that will come out in the next several days. Their very livelihoods, not to mention the industrial base of the only submarine manufacturer left in this great country of ours, may well be determined by the decisions announced this evening and over the next several days.

Mr. President, I point out that only a decade ago there were six manufacturers of submarine technology in the United States. It says volumes that today we are left with only one in this great country of ours capable of building a critical element for this Nation's national security.

If those people lose their jobs it will not only be an economic blow to my State. I would point out to the President and my colleagues here that if we lose those jobs, far more may be at stake. There are 39 nations, as we speak here this morning, that build or have some 400 submarines prowling the ocean floors this very day. Seventeen nations build submarines in the world today. We have one contractor left, and I suspect we may lose it this year, if the rumors are correct.

The people of Connecticut are no different from anybody around this country, Mr. President. I do not mean to focus just on Connecticut. But my State has felt it hard in these last couple of years, and I know people all across this country from the Midwest, the South, the Far West, are beginning to feel what we have felt over the last several years. They are worried about their jobs. They are worried about their families. They are worried about their Nation and its future.

An older generation, Mr. President, of course, remembers fear, a generation that went through the Great Depression. I was born after the Great Depression, but I heard my parents and grandparents talk about what it was like to have fear, that fear of not knowing where the next loaf of bread or the next meal would come from.

My father was the first Director of the National Youth Administration in the State of Connecticut. He described to me about how people walked for miles to New Haven, CT, where the job office was, to see if there was not some work they could do to provide for their families.

I only know about that kind of fear because an older generation told me about it, Mr. President. But I think what I am seeing in my constituents' eyes today, what I see in other people's eyes around this country, is the same kind of fear that my parents and my grandparents talked about.

I finally understand, I think, what they were trying to describe to their



children, what it was like to live in the latter part of the 1920's. I finally understood what it was like to feel that no one seemed to care, no one seemed to worry, no one seemed to be able to take action. Of course, a great President told us that the only thing we had to fear was fear itself, and he injected hope in the people of this country, and they began to build and bring themselves out of that misery.

Mr. President, I am seeing that kind of fear today. People fear that their dreams of owning a home, of starting a small business, of learning new job skills, are never going to come true.

They fear, Mr. President, maybe more so than anything else, for their children. It is one thing to fear for yourself and wonder whether or not you will have a job tomorrow, but when you fear for your offspring, wondering whether they will have a chance for a decent future, that more than any other fear, I suspect, is more gripping for a family than is trying to make ends meet. Mr. President, they fear their country is coming undone. They fear the country is fraying.

President Bush did not singlehandedly create this recession. It would be ludicrous to suggest that. What is unfortunate, Mr. President, is the President's repeated failure—repeated failure—to acknowledge the existence of this recession—or depression, as it is in some parts of our Nation.

The failure to even admit that these problems existed, I think, has limited the President's ability, quite frankly, to respond to this situation. And the President's stubborn refusal to look for real solutions has shortchanged the American people.

Of course, this is no time today, as we prepare to listen to the President's State of the Union Address, to just try and point a finger of responsibility. As I said earlier, Mr. President, this is a time to deliver solutions.

The questions we must ask ourselves are: What are those solutions, and how can we get about the business of putting them into action.

We already know, of course, the President's record. The President's priorities have been obvious. The very affluent, and special interests, have always come first, regrettably. For 4 years the President has neglected, as we now know, the concerns of middle-class Americans.

Once again, we hear the Bush administration wants to enact—and they seem exclusively focused on this—a broad-based cut for the capital gains tax. It is almost a mantra. Every time they talk about recovery, it is always the broad-based capital gains tax—a tax, as we all know, that would benefit the most affluent sector of our society.

Mr. President, I happen to believe there may be a role for a targeted capital gains tax in this economic equation we are talking about. But our

equation must include far more than just a proposal that will make it possible for the most affluent to enjoy a tax break. Such a cut, a targeted cut, for new investment in small companies, if it were focused properly, I think, would help create jobs and stimulate new economic growth.

And I am pleased to hear the President may also finally embrace the idea of a tax break for middle-income families. Over a year ago, Members of this body pushed to give the middle-income class a tax break. Though the President's provision is late in coming, it is a hopeful sign that we may be able to deliver a tax break for those people this year. Mr. President, it is a good idea, and I hope it will be enacted.

If we want to get this economy moving again, we need to have more than just a quick political fix. We need real solutions that will restore fairness to the top of the economic agenda.

It means that we must do something to aid our cities which have been in steady decline. I should know, Mr. President. Connecticut has 3 of the 10 poorest cities in our Nation.

It means we must do something about trying to bring down the cost of health care while making it accessible to everyone.

It means we must extend unemployment benefits now for as long as they are needed.

It means we must implement economic policies that care about workers and people and not just statistics. The President tells us the drop in the defense budget over the next years will not hurt the overall economy. But he misses the trees for the forest. We need a sound policy to help communities, workers, and businesses to adjust to this massive reshaping of our spending priorities.

It means, Mr. President, we have to move with urgency on children's issues—and I am delighted to hear the President say that he is for the Head Start Program and WIC and child nutrition programs. But, Mr. President, it is a little late in coming.

Many of us here have fought for years to see to it that those programs receive adequate funding. And I would note, Mr. President, the present occupier of the chair, presiding over this body, was an invaluable asset to us as we fought with the limited resources that we had in our overall spending to see to it that children in this country would not end up in last place.

Hopefully, with the President this year finally on our side, we will get some additional resources, and those who are the most helpless in our society will at least be considered in a higher place than they have been over the last number of years.

Now is certainly the time to implement family and medical leave. There is no reason workers in this country should risk losing their jobs to raise a child.

Finally, Mr. President, as Democrats, we have to demonstrate that we can be both profamily and probusiness. To get our economy going, we have to give private industry the incentive it needs, and I respect and support that.

As I already said, I think the targeted capital gains tax cut or investment tax credit or research and development tax credits would reward long-term future investment, not provide a handout to the top 1 percent or so in our economy. We must revitalize the investment tax credit—and do it as soon as possible. We must make the research and development tax credit a permanent fixture of our Tax Code.

Most important of all, we need to work together this year. I know it is an election year—the American public is certainly aware of that—but I think we will do ourselves far more good politically, if you will, if we get about the business of trying to come up with some intelligent solutions to the problems the American public is desperately seeking. That ought to be our goal this year.

If we do that, then I am confident the politics will resolve themselves. And so while the temptation may be to recite just the history and the litany of all the reasons on how we have come to this particular point—and I have identified some of them here this morning, Mr. President—I think the American public is going to be far more interested in what we have to say about what we are going to do tomorrow after the State of the Union Address than how it was that we got ourselves into the situation we are in today.

If the President can escape the special interests that have held him hostage for the last 11 years—and I hope he can—then I welcome his participation in this debate in formulating the solutions that will get us out of this morass.

Mr. President, I have been, like most of my colleagues, to town council meetings and field hearings and meetings with citizens across my State. I have hosted roundtable discussions in all sorts of constituent gatherings. At each and every opportunity, people come up and say, "What is the Congress and the President going to do to get us out of this situation?"

Mr. President, the message is clear: We do not need to conduct polls or conduct surveys to find out whether or not the American public is interested in economic recovery in this country. Any person that has paid any attention whatsoever over the last several years should not have been able to avoid the message people are sending the President and their representatives. They want solutions. They want them soon. They want them to be meaningful.

Mr. President, I look forward this evening to the President's State of the Union Address. I hope it will be a positive, constructive one. I hope the Presi-

dent will do what he did on Inauguration Day, on January 20, 3 years ago, when the leadership of the Congress stood there on the western front of this building and the President of the United States extended a hand and said, "I want to work with the Congress to help come up with answers to our problems."

Unfortunately, that hand was extended that day but withdrawn almost immediately. My hope is he will extend that hand again tonight and say to the leadership in our Congress, let us do what I promised to do 3 years ago and try to come up with some answers for the American public.

That would be a welcome message tonight, and I will stand and applaud my President if, in fact, that is his message tonight.

Mr. President, I look forward in the weeks and months ahead to hopefully, one of the most constructive sessions of any Congress that I have had the privilege to serve in.

Mr. President, I yield the floor.

#### TROOP 10 OF ABERDEEN: A TRIBUTE

Mr. DASCHLE. Mr. President, on Sunday, February 2, the people of Aberdeen, SD, will celebrate an event that embodies some of the most important values on which this country was founded: brotherhood, patriotism, honesty, community service, tradition, excellence, and appreciation of the environment. Sunday, February 2, will mark the 75th anniversary of Troop 10 of the Boy Scouts of America. Sunday will also be "Boy Scout Sunday."

Virtually everyone is aware of the many important ways Scouting has touched the lives of America's young men and women. In fact, Scouting is so well established in this country that it has become woven into the very fabric of many of our communities. There is perhaps no greater evidence of that fact than the remarkable history of Troop 10 in Aberdeen.

Troop 10 was chartered in 1917. Its sponsor, the First United Methodist Church of Aberdeen, has remained its sponsor since its initiation and has provided the young men of Troop 10 invaluable and faithful support for 75 years. The church is apparently one of only two sponsors in the country who have made such a long-term commitment to a Scouting troop.

In its 75-year history, Troop 10 has seen many of Aberdeen's finest. Many of the troop's former Scouts have continued to support it. One such Scout who deserves special recognition is Joe VanDeRostyne, the young Scout who decided to give back to Troop 10 what his Scout leaders had given him, and is the troop's current Scoutmaster. Through nearly 20 years of direct involvement, Joe has provided the young men of Troop 10 inspirational leadership and friendship.

In addition to Troop 10's wonderful sponsor and dedicated Scoutmaster, there are several other people who deserve special recognition on this important anniversary. Troop 10's assistant leaders and committee people, including Bill Grate, Steve Miller, John Vidoloff, Alan Dixon, Jeff Owens, Todd Saylor, Rich Burroughs, Wayne L. Buss, Earl Kruse, Karen Mogan, Robert Webb, Mark Marion, and Dick Grebner, have provided essential support.

Finally, I want to recognize the current Scouts of Troop 10, who proudly carry on the tradition of this great organization: David Burroughs, Eric Buss, Kevin Jordanger, Brent W. Kruse, David A. Larson, Patrick Marion, Martin E. Miller, Corey Holt, Chris Roeszler, Jason Rudolph, Rob Vidoloff, Jeremy Wein, Alon Wiedenman, John W. Grebner, Nate Dixon, Kevin Franz, Aaron F. Holter, and James A. Berreth.

Mr. President, I am proud of the people who have been involved in the development of Troop 10 throughout its 75-year history, and I honor them all.

#### THANK YOU, ANN GARRABRANT, FOR YOUR YEARS WITH ENVIRONMENT AND PUBLIC WORKS

Mr. BURDICK. Mr. President, it is my honor today to pay tribute to a staff member of the Committee on Environment and Public Works who is retiring after 25 years of exemplary Government service.

Ann Garrabrant began working for the committee as a clerical assistant just 2 years after graduating from college. She proved her versatility and competence, gaining promotions to research assistant and professional staff member, her current position, and one that she has carried out with unrivaled expertise for 20 years.

The committee will lose a knowledgeable and precise public servant in Ann. I know my colleagues, committee staff, and agency members who have worked with Ann will feel the loss of this efficient and gracious staff member. Ann has already decided to shift her talent to genealogy research at the Archives, a hobby she has been pursuing. We wish you well, Ann, and heartfelt thanks and gratitude for your efforts in shaping the policy of Environment and Public Works.

#### TEN PERCENT LUXURY TAX ON BOATS

Mr. KASTEN. Mr. President, President Bush will propose the elimination of the 10-percent luxury tax on boats in his fiscal year 1993 budget proposal. I applaud this action. I voted against this disastrous tax when it was enacted in 1990, and I worked throughout 1991 to repeal the tax.

On September 17, 1991, following a Small Business Committee hearing that examined the impact of this tax

on boat builders and workers, I introduced a sense-of-the-Senate resolution calling for repeal of the luxury tax on boats. On November 21, 1991, the U.S. Senate approved this resolution overwhelmingly by a vote of 82-14.

It is clear to me that there is tremendous support in the U.S. Senate for repeal of this tax. I will be working closely with the administration and my colleagues in the Senate to ensure that this tax is quickly repealed and that repeal is made retroactive to January 1, 1992. This effective date is vital to stimulating the purchase of boats and preserving thousands of jobs in the boat building industry.

This tax has backfired. It has put thousands of middle-class workers who build boats in the unemployment lines.

An industry that is vitally important to Wisconsin has been singled out for economic destruction. In my State, Carver Boats in Pulaski, Cruisers Inc. in Oconto, Skipperliner in La Crosse, Kracor in Milwaukee, Harken Yacht Co. in Pewaukee, and others are all suffering serious damage from this tax.

Hundreds of workers in my State will soon lose their jobs if this tax is not repealed. Thousands will lose their jobs across America. It is inconceivable to me that Congress is unwilling to help these people and save their jobs.

Some have argued that the job loss in the boating industry is due entirely to the recession. This is clearly wrong. Since last year, when the boat tax went into effect, there has been a 70-percent drop in the sale of boats subject to the luxury tax, those over \$100,000. By contrast the sale of boats under \$100,000 has declined by 34 percent.

In Wisconsin, the sale of boats subject to the tax is down 80 percent this year, and the sale of those not subject to the tax is down 40 percent.

Obviously, the recession is a major factor. In 1989 and 1990 the recession cost 100,000 marine workers their jobs. But adding the luxury tax on top of this was clearly the last straw. It is literally destroying an industry that was already in desperate straits.

The luxury tax on boats tax is anything but a luxury for the 19,000 middle-class workers who have lost their jobs because of it.

Time is running out. In addition to putting thousands of middle-class workers in the unemployment lines:

The boat tax is forcing plant closures.

It is aiding our foreign competitors by destroying one of America's finest manufacturing industries.

It is costing the Government far more in lost tax revenue and collection costs than it will raise.

This tax must go now. Every month Congress delays, more workers lose their jobs.

Throughout 1991 there was no shortage of evidence concerning the tremen-



dous destruction that this tax has brought to the marine industry. Congress has heard testimony from unemployed boat workers and from boat builders. Businesses have closed, the unemployment lines have grown longer, and still Congress has done nothing.

This inaction is no longer acceptable, Congress must act now.

Another ironic aspect of this tax is that the Federal Government is losing millions of dollars from this tax. A report put out last July by the minority staff of the Joint Economic Committee shows that the Federal Government lost millions from this tax in 1991.

On top of all the suffering and job loss, we have a tax that does not even raise money for the Government.

Last fall, at the Senate Small Business Committee hearing to examine the impact of this tax on small businesses, witnesses from both the manufacturing and retailing sectors testified to the job loss and devastation that this tax is bringing to the marine industry. Particularly compelling was the testimony of Chet Markley, president of local S88 of the International Union of Shipbuilding Workers of America. Mr. Markley is one of the thousands of workers who has lost his job because of this tax. He stated clearly that the members of his union are the victims of this tax, not the wealthy.

Congress must listen to America's boat builders and repeal this tax now. I look forward to working with my colleagues in this effort.

#### DR. RUTH LITTMAN

Mr. PACKWOOD. Mr. President, it is with great sorrow that I speak today to honor Dr. Ruth Littman, who died January 26 at Huntington Hospital in New York. A native of Berlin, Germany, she came to the United States soon after World War II. Through the years she has perfectly embodied the sense of a dedicated citizen.

Dr. Littman had many interests. She composed songs all her life, adapting her creative ability to a foreign tongue, and went on to set up Littman's Music Publishing Co. Among the numerous speciality songs she wrote, two stand out in my mind: "The Safety Song," written to help protect children, and a lullaby, "Pleasant Dreams," written in honor of the birth of President John F. Kennedy's baby son.

Politics was her life and in this she was always solidly supported by her husband of 44 years, Max Littman. Confined to a wheelchair since 1967, Ruth Littman was one American who truly made a difference in the course she set for herself. Party affiliation did not concern her. Ruth chose the issues she was concerned with, and then worked with those who could help get the job

done. We shared many of those issues. She achieved outstanding recognition through her work with the prochoice movement, child abuse prevention, senior citizens, the disabled and the homebound, and recently was promoting legislation for health care reforms.

Ruth Littman's grasp of principle earned my confident regard, not a commodity that readily survives rapid change these days. She touched the lives of so many that her death brings sadness to a host of friends across the country. She was greatness with grace—a friend who enriched our lives and leaves us with fond memories which we shall always treasure. We are sorry to lose her formidable knowledge of human experience, her conviction and expectation, her warmth, wit, and wisdom. Her legacy to the many lives she touched should give pride and comfort to all of us.

#### COMMENDATION OF GEN. CHARLES E. DOMINY

Mr. WARNER. Mr. President, since June 1987, Maj. Gen. Charles E. Dominy has served as the chief of legislative liaison for the U.S. Army. At the end of last year, General Dominy was nominated for his third star, and selected as the director of Army staff. I am pleased to have this opportunity to remark on the fine service he has offered, and continues to offer, the Congress, and the Secretary of the Army.

General Dominy's distinguished career has spanned 29 years, and has included command of the U.S. Army Missouri River Engineering Division, service as the executive officer to the Secretary of the Army, and service as district engineer of the U.S. Army Savannah Engineer District. He is a graduate of the Army War College and holds a master's degree in civil engineering. A combat veteran, he was twice sent to Vietnam, and served there with valor.

As the chief of the Office of Congressional Liaison, General Dominy's mission was to keep the Congress informed by providing complete, timely, and frank information. In this, he succeeded brilliantly, at a time when the need was pressing. Conflicts in Panama and the Persian Gulf, the end of the cold war, overwhelming change in global affairs, and a thorough reevaluation of our Nation's own military posture all necessitated a well-informed Congress. General Dominy was always particularly sensitive to the need of Members and staff for up-to-date, accurate information, a characteristic that has been acknowledged with gratitude by many of my colleagues in both Chambers.

I am particularly pleased to commend General Dominy today because he is a fellow Virginian, born in Arlington and educated in Fairfax County before going on to the U.S. Military Academy at West Point. In fact, de-

spite the transitive lifestyle of the military, he, his wife Mary, and their three children have kept their roots in their native Commonwealth, where the general's father also has his home.

Service and dedication to duty have been the hallmarks of General Dominy's tenure as chief of legislative liaison. The positive nature of the relationship between the Congress and the Army is due in large measure to his stewardship. As General Dominy moves on to a well-deserved promotion to lieutenant general, and new duties, I would like once again to express my sincere appreciation for his outstanding service and support, and to wish him continued success.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

#### STRENGTHENING EDUCATION FOR AMERICAN FAMILIES ACT

The PRESIDENT pro tempore. The Senate will resume consideration of S. 2, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2) to provide the achievement of national education goals, to establish a National Council on Education Goals and an Academic Report Card to measure progress on the goals, and to promote literacy in the United States, and for other purposes.

The Senate resumed consideration of the bill.

Pending.

(1) Nickles amendment No. 1479, to enhance educational opportunity, increase school attendance, and promote self-sufficiency among welfare recipients.

(2) Kasten amendment No. 1482 (to Amendment No. 1479), to change the effective date to June 1, 1992.

(3) Metzenbaum amendment No. 1483, to discourage States from offering tax incentives that reduce the amount of Federal, State, or local funds available in such State for educational purposes.

(4) Seymour amendment No. 1487, to provide for mandatory parental involvement for students enrolled in choice programs.

(5) Seymour amendment No. 1488, to permit the establishment of SMART Schools as new public schools.

(6) Wirth/Wellstone amendment No. 1490, to express the sense of the Senate concerning investments in education and school-to-work transition initiatives.

(7) Wirth amendment No. 1491 (to Amendment No. 1490), in the nature of a substitute.

(8) Kennedy amendment No. 1492, of a technical nature.

Mr. PELL addressed the Chair.

The PRESIDENT pro tempore. The Senator from Rhode Island [Mr. PELL].

Mr. PELL. Mr. President, this is an auspicious day. The President will deliver this evening his long-awaited State of the Union Address, which we all hope will contain a series of solid

proposals to pull us out of the recession that is taking such a terrible toll on our Nation.

It should be an auspicious day in another respect as well. We have every reason to believe and expect that it be the day that the President offers us the substantive program required to make America first in education. For only if he offers a series of bold, new initiatives can he hope to earn the mantle of "Education President."

If the last several years are any indication, however, it is clear that leadership in education will continue to be associated with the Democratic leadership in Congress, and with its longstanding commitment to improving American education at every level. One need only look at the record to understand that it has been the Democratic Congress, and not the President, that has provided leadership in education. And, one need look only at the pending legislation to understand that it is the Democratic Congress, and not the President, that is willing to undertake the action necessary to bring excellence to every aspect of American education, and to make sure that this Nation becomes the foremost education nation in the world.

I would be remiss, however, if I failed to point out an important caveat. For the most part, education in the Congress has been the product of bipartisan cooperation. We have worked together to solve the serious problems confronting American education. By and large, we have done so without injecting partisanship into the debate. When we have had differences, we have agreed to disagree without letting that disagreement overshadow an overwhelming consensus on the overall legislation. My hope, therefore, is that the spirit of bipartisanship will continue to prevail within the Congress. Excellence in education is most certainly a goal we all share, and one which should not be subjected to a highly charged atmosphere of partisanship.

Since 1987, the Congress has been under Democratic leadership, and during that period it has reauthorized two major pieces of education legislation. In 1988 we rewrote the Elementary and Secondary Education Act and strengthened the Chapter 1 Program of compensatory education for poor children. We provided a new focus upon basic skills for disadvantaged students in both elementary and secondary school. We also required each Chapter 1 school to increase the test scores of its disadvantaged students in order to qualify for additional Federal aid.

In 1990, we enacted a new Vocational Education Act. For the first time that act requires linking basic skills instruction and vocational training. It also stipulates that training be state of the art, and be provided for jobs that actually exist in the community. We also included provisions for perform-

ance standards to evaluate the progress of Federal vocational education programs.

We also attempted to enact major parts of the President's education initiative, a much-needed National Literacy Act, and a National Teacher Act to attract talented people into teaching and to upgrade the skills of those already in the classroom. Unfortunately, that legislation was killed by objections from the other side of the aisle in the closing hours of the session.

Last year, we passed the National Literacy Act and reported out of the Labor and Human Resources Committee both S. 2, the Neighborhood Schools Improvement Act, and S. 1150, the reauthorization of the Higher Education Act. We sought to bring the elementary and secondary education bill to the floor late last year, only to be blocked again by objections from the other side of the aisle.

Fortunately, the Neighborhood Schools Improvement Act is now under consideration on the Senate floor, and I believe most of us are very hopeful that its passage will be imminent. Also, within the near future, we hope to bring the higher education bill to the floor with the hope that it too might be passed early in this session.

In regard to both of those bills, it is important that we understand the basic difference between what the President proposed and what the Democratic Senate has offered. In the area of elementary and secondary education, we have offered an educational reform package that would bring much-needed help to those schools where the need for reform was the greatest. That approach stands in stark contrast to the President's proposal where only 535 schools, or about one-half of 1 percent of the schools in our Nation, would receive help and where there would be no guaranteed focus on sending aid to the schools that need reform most.

Also, we would leave the decision on funding to the States in the belief that they are not only closer but also more knowledgeable about education within their borders than is a national Secretary of Education.

Educational reform is something that must sweep the Nation. If our educational system is to become second to none, it cannot relegate reform to an elite few. If we are to excel in education, we must improve all American schools so that all American students are winners. That is precisely what the Democratic legislation seeks to do.

If we are to keep the doors of educational opportunity open for all Americans, we must have a Higher Education Act that aids both poor and hard-pressed middle income families. That means improved and expanded student aid programs. It means simplifying the application process so that

families can understand and complete the necessary forms without difficulty. But, most important, it means increasing Pell grant funding to the point where that program can become an entitlement. These objectives are embodied in the Higher Education Act reauthorization bill now ready for floor consideration, and I remain very hopeful that we will be able to act on that legislation in the very near future.

In education funding, the Democratic Congress has also provided strong leadership. When the President sought to increase education funding by only 2 percent, which was about half the inflation rate, the Democrats sought and achieved education funding increases totaling almost 10 percent. Last year, when the President sought to increase education funding by approximately 3 percent, the Democratic Congress responded with an increase of approximately 18 percent.

It is also important to note that those increases came not in new and untested areas, but in a series of tried and true programs that we know work and work well. I am speaking of programs such as the Chapter 1 Program of compensatory education for poor children, vocational education and training, adult basic education to improve literacy, dropout prevention, education for the disabled, student aid, the TRIO programs, and assistance to improve our Nation's libraries.

There are other important items on the education agenda as well. For instance, if our children are to enter school ready to learn, then surely we must fully fund the Head Start Program. Nothing could be clearer than that. Despite all of the hype, the basic fact is that the President's proposal in this area falls far short. For the future of our children, we have the right to expect more.

If we are to remain leaders in the world economy, we must improve and strengthen the linkage between education and the workplace. This will be a major area of focus this year as we seek to build upon the progress achieved in the last reauthorization of vocational education.

Make no mistake about it, however: Change in this area will not come by drawing a new organizational chart. One does not simply do away with a program that is working well in meeting the objectives for which it was designed. Both vocational and adult education play vitally important roles. New approaches in job training should not come at their expense; they should complement the excellent work they are doing.

If a new priority is to be placed on education in this country—and I believe deeply that should be the case—then it is clear that we must place a new emphasis on educational research and innovation.

The effort to develop national standards in education is most encouraging.



To reach those standards, however, will require hard work. To my mind, some form of testing, even if voluntary, lies at the heart of achieving those standards. This year we will reauthorize the Office of Educational Research and Improvement, and it is clear from the outset that this will be one of the major issues to be addressed in that legislation.

Mr. President, I am afraid that the education record of this administration thus far contains far more rhetoric than action. Yet, while the administration has talked about education, we in Congress have done something. We have worked hard to streamline and modernize existing programs, to start new initiatives where they are needed, to be concerned that all of American education must be upgraded if we are to retain a position of world leadership, and to provide sufficient funding so that our education programs can be effective.

Mr. President, we would welcome bold, new education initiatives from the administration, and we would literally be overjoyed to hear a series of such proposals in this evening's address. We reserve, however, the right to offer constructive criticism, to applaud the program when and where it is good, to point out its inadequacies and then seek to overcome them, and to fashion a program that truly seeks to make sure that America has a world class education.

Like our Nation's economy, we have a crisis in American education. It affects every level of education in this country, and reaches into every State and virtually every community in America. It is a crisis that can be solved only by solid programs and a spirit of cooperative action. It cannot be solved by code words, political gimmicks, and proposals that are not up to the dimensions of the crisis.

All partisanship aside, every American wants the President to become the Education President. But we all recognize that cannot be achieved by words alone. One can become the Education President only by word and deed.

We expect the President to offer new programs, but we also have every right to expect that those programs be bold and substantive. We need new ideas, new techniques, and new approaches. And, just as important, we need them at every level and in virtually every schoolroom in the Nation.

We should also expect the President to see and understand that we have some excellent Federal programs already in place. Those programs need only to be strengthened, and in many instances, that strength can come simply from additional funding. Given the plight of the economy, additional funding is not an easy answer. It is difficult, for with the commitment must come the determination to find the necessary funding.

I would stress that more money certainly is not the only answer, but we cannot expect to move ahead without adequate funding of education. Also, if a program is working well and yet reaches only half of the population it is intended to serve, additional funding is absolutely critical.

Finally, I would point out that improving American education cannot be achieved by political gimmicks and code words. It cannot be accomplished by pointing the finger of blame, for I believe we all know that there is plenty of blame to go around for everyone.

This is the time for us to come together, to understand the immensity of the crisis before us and the magnitude of the action that will be required. It also means new programs that strike more than a political chord and actually go to the heart of our problems in education.

If we are to achieve the goals set forth last year by the President and the Governors, we must recognize that each of us has an important role to play, that there may be other goals that are equally important, and that programs to speed education on its way toward meeting all those goals are required at every level.

For our part, in the Senate we stand ready to build upon what we have already done. We stand ready to work with the President just as we sought to do last year. But most of all, we stand ready to help build the kind of educational system that will keep America in the forefront of competition in the world economy. We seek, in short, to make sure that excellence is the byword of American education.

The PRESIDING OFFICER (Mr. KERREY). The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SPECIAL 301

Mr. BAUCUS. Mr. President, I rise today to discuss one of the United States' most important weapons in addressing unfair foreign trade practices, the Special 301 provisions of the 1988 Trade Act.

#### BACKGROUND

Special 301 is sometimes confused with two related U.S. trade laws, Section 301 and Super 301. Special 301 is a permanent U.S. trade law addressing foreign piracy of intellectual property, including films, computer software, chemicals, and pharmaceuticals.

Congress created Special 301 with two facts in mind.

First, intellectual property is enormously important to the U.S. economy. At a time when some would question the ability of U.S. industry to compete abroad, American intellectual property is leagues ahead of the competition.

For example, American film and television programs alone generate a \$3.5 billion trade surplus each year. American pharmaceuticals generate a \$1 billion surplus.

Second, U.S. intellectual property is under attack worldwide. Pirates from Taiwan to the United Arab Emirates to Guatemala are adept in the production of copycat versions of American intellectual property. For instance, often before an American film is released in the United States pirated versions appear on the black market around the world.

The damage to the U.S. economy is stunning. According to the U.S. International Trade Commission, pirating of American intellectual property costs the United States between \$43 and \$61 billion annually in lost exports. If this piracy were eliminated, the lion's share of the U.S. trade deficit would disappear.

To respond to this piracy, Congress created Special 301.

Special 301 requires USTR to formulate an annual list of countries that allow the most egregious piracy of U.S. intellectual property. Once it has identified "priority foreign countries," Special 301 directs USTR to negotiate agreements to end piracy within 6 to 9 months. If pirate countries refuse to reform, Special 301 authorizes retaliation against the exports of the offending country.

In addition to naming "priority foreign countries," USTR has created "watch lists." Countries that allow some piracy, but not enough to be named a priority country, are placed on a watch list. Placement on a watch list warns countries that future action may take place under Special 301 unless the piracy is stopped.

#### THE RECORD OF SPECIAL 301

I have not always been pleased with the Bush administration's implementation of Special 301. In 1989 and 1990, for example, the administration established the watch lists, but declined to name any priority foreign countries.

Last year, however, the administration finally began to apply Special 301 as Congress intended. Three countries—China, Thailand, and India—were named as priority foreign countries.

Indeed, in a period of only 3 years, Special 301 has emerged as perhaps the single most effective U.S. trade statute. It has been used to protect film rights in Indonesia, to urge new copyright and patent protections in Mexico, and to start the reform process in Argentina.

Recently, Special 301 negotiations with China were brought to a remarkably successful conclusion. USTR negotiators secured new protections for computer software, sound recordings, agri chemicals and pharmaceuticals. The U.S. intellectual property industries involved have applauded the new agreement.

Mr. President, I ask unanimous consent that statements from several industry groups, as well as an article recently in the Wall Street Journal, be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

**COPYCAT CRIME: VIDEO PIRATES ABROAD FACE A SWASHBUCKLER WORTHY OF HOLLYWOOD**

(By Damon Darlin)

SEOUL, SOUTH KOREA.—The last time Richard O'Neill saw him, Kim Kyoung-In was dashing down a Bucheon alley in his stocking feet fleeing police.

Besides his shoes, Mr. Kim left behind video copying equipment, electronic image enhancers and hundreds of copied tapes of popular American movies. To Mr. O'Neill, the Motion Picture Export Association of America's man in Seoul, these were the smoking guns of a videotape counterfeiter. And Mr. Kim, he believed, was a key figure in the Bucheon Ring of video pirates who were supplying many of Seoul's video-rental shops.

It would be months before Mr. O'Neill was back on the pirate's trail, all the while shocking video-store owners with surprise raids and seizures, and spreading fear through the underground industry by pressing exposed bootleggers into service as informants. He would suffer harsh criticism from Korean video-store associations, harassing phone calls in the night and a cat nailed to his door. "I left it up there," he says. "I don't like cats, anyway."

But Mr. O'Neill, former Green Beret soldier and Vietnam War veteran, is helping the American movie industry make big gains in the war against the Korean underworld of counterfeit tape makers and distributors. When the burly Mr. O'Neill flew into Seoul two years ago, about 85% of the 30,000 video shops in Korea sold pirated tapes. U.S. movie studios complained that pirates were beating them to the stores with movies, stealing a lucrative market.

Adapting guerrilla tactics he says he learned fighting the Viet Cong, Mr. O'Neill has reduced the share of stores selling bootleg tapes to under 30%. "Genghis Khan had a lot of good ideas," he says. The score so far: 734 raids, 140,816 tapes seized or destroyed, 155 convictions, and hundreds of cases pending.

**THE COSTS OF COUNTERFEITING**

Mr. O'Neill's war is important to American movie makers. The industry reels in about \$1 billion in revenue from Asia each year, but loses almost \$400 million in potential sales to piracy. (Movies are a leading U.S. export, with overseas revenue of more than \$3.5 billion a year.)

Pirating in Asia is no mom-and-pop trade. It is a sophisticated business in which bootleggers copy the latest titles by running 25 or more VCRs at once, and then packing the tapes in what looks like genuine packaging. Some even carry clever counterfeits of the silvery holograms designed to guard against bootlegging.

The legitimate movie industry is happy with Mr. O'Neill's work. "He is a tremendous asset," says Ron Putnam, head of anti-piracy efforts for the Motion Picture Export Association's Asia-Pacific region. Authorized video distributors in Korea report that 1991 sales more than doubled, and several say this year will be even better.

More important, Mr. O'Neill's methods are being taught to anti-piracy officials in other

Asian countries, such as Malaysia and Thailand, where more than 85% of stores sell pirated tapes. (In India, all stores are believed to do so.) Makers of computer software, luggage and even machined parts are taking an interest in his anti-pirating techniques, which rely on computers, persistence, long hours and a refusal to be intimidated by pirates or indifferent government officials. "Dick is a unique character and much of his success is due to him personally," Mr. Putnam says. "But his methods can be applied elsewhere."

**COUNTERFEITING CAPITAL OF THE WORLD**

South Korea has been among the world's worst offenders. Its streets are famous for fake Louis Vuitton bags, rip-off Reebok athletic shoes and bootleg Lotus 1-2-3 software. The copy culture is so deep here that major Korean companies don't hesitate to use Disney-like characters for mascots, appropriate the Batman logo or replicate distinctive packages such as Johnson & Johnson's tear-drop-shaped baby shampoo bottle or Procter & Gamble's Tide box.

Korea is changing, but Mr. O'Neill's tough tactics are making Korea change faster. Mr. O'Neill, 5 feet 11 inches tall, weighing more than 250 pounds, and 43 years old, craves whatever action he can find. He grew up in New York City, joined the Army, and gained a commission as an officer. In three years in Vietnam he received a Silver Star and six Bronze Stars, he says. After studying law enforcement at the University of Nebraska in Omaha, he helped set up security for the Seoul Olympics. Hollywood found him in the Philippines doing security work for a U.S. company.

Once in Korea, he set out to get to know his enemy. He and his staff of six Koreans, clipboards in hand, began surveying all 30,000 video shops in Korea. On detailed city maps, they started plotting stores that sell only legal tapes with blue dots and stores with pirate tapes in red. Yellow dots would mark stores that reformed their ways after visits by one of Mr. O'Neill's "market surveyors." (Private detectives are illegal in Korea, hence the euphemistic job description.)

Soon, with prodding by Mr. O'Neill, the police raids began. Mr. O'Neill's strategy: Hit the biggest store in a sea of red dots to scare the rest into compliance. "It's Genghis Khan. You burn one village and leave a few survivors to tell the rest," he says. Nowadays, all he has to do is send a letter asking when it would be convenient to make a raid. He gets photos, via registered mail, from frightened store owners showing them burning piles of counterfeit tapes. "It's the damndest thing. But I got a drawerful of them."

Mr. O'Neill is even so bold as to pose as a buyer and pass out business cards with such names as "I.B. Kuhl," "Dr. Felix deKhatt," "Famous Psychiatrist," or "Father Richard of the Friars of St. Valenti," a reference to Jack Valenti, head of the U.S. Motion Picture Association.

Members of the Korean Video & Phonograph Sale Shop Association aren't laughing. In fact, they are angry about Mr. O'Neill and his aggressive style. "We don't know which tapes are pirated," says Jin Suck-Ju, an association director. He admits that shopkeepers sometimes buy from unauthorized dealers in order to get popular titles faster. A bona fide tape sells for about \$27. A good pirate version sells for about half that. "The high price the Americans charge is the main cause of piracy," says Shim Yong-Tae, another store owner. "That forces the Korean people to copy. Otherwise we can't make a profit."

**RECRUITING INFORMANTS**

Most reallers get off with a warning. But with shop owners who could face criminal charges, Mr. O'Neill presses them to turn in other video outlaws. "It works against clandestine organizations," he says. Often, they tell Mr. O'Neill or his quiet right-hand man, Kim Kun-Soo, a former Korean marine, the location of pirate tape inventories. Acting on an informant's tip, Mr. Kim led police to a cache of videos hidden under sacks of rice in a store across the street from a Seoul video shop. Sometimes informants lead Mr. O'Neill to distributors. Some even become agents, infiltrating the pirate distribution chain.

One informant told Mr. O'Neill about a meeting of outlaw manufacturers who were gathering to discuss what to do about the new American in town harassing them. Mr. O'Neill got one of his men to pose as a parking-lot attendant. He took down license numbers that led to the identities of many major bootleggers.

With his reputation well established, some tips now come walking through his door. A pirate's estranged wife informed on her husband last year because he wasn't providing her enough money. "Can't you do anything to get him?" she asked. Mr. O'Neill was happy to oblige her.

Mr. O'Neill's quarry is still a slippery prey. He spent days in a cheap hotel, listening and monitoring power meters, to find the room where a pirate was operating. When he finally made his move, bursting through the door with police, all they found were two stunned lovers in a clinch. The suspect had moved across the hall.

It was luck that put him on the trail of Mr. Kim, the shoeless pirate. A rival distributor, angry that Mr. Kim had invaded his turf, led Mr. O'Neill and police right to the shop in Bucheon. But the raid was a bust when Mr. Kim and his associates saw police and fled.

**MAN'S BEST FRIEND?**

Mr. Kim left his dog, a light-brown mutt that the informant said Mr. Kim adored. Mr. O'Neill kept the dog for weeks, hoping Mr. Kim would call to make a deal. He didn't, so the investigation continued.

On a computer in his office above a Shakey's Pizza parlor, Mr. O'Neill drew links between shops, distributors and manufacturers in what he calls an "intel-association matrix." In the list of 120 suspected manufacturers and distributors, Mr. Kim's name was still being linked to seven men known as the Bucheon Ring, named for the industrial city west of Seoul where they operated. Also, printed tape boxes, each bearing almost imperceptible manufacturing marks typical of Mr. Kim's operations, were popping up at various stores, suggesting he was still in business. But where?

Then, last fall, informants found Mr. Kim, the alleged pirate, operating in a house in northeast Seoul. When police swooped in, they confiscated 34 VCRs, 6,000 tape boxes, 1,320 blank tapes, plastic shrink-wrapping machines, and 540 copies of "The Star Wars: Empire Strikes Back," among other titles, including "Terminator 2," which hadn't been released here on video. They also caught Mr. Kim.

Mr. O'Neill says within six months he will have the share of Korean stores selling pirate tapes below 20%. (In the U.S. and Japan the rate is 12%.) But already pirates are finding new outlets for their ware: Video theaters showing movies copyrighted before 1987, and thus unprotected under Korean law. Others are wiring Korean homes to rogue cable systems.

The movie studios now have Mr. O'Neill traveling to Thailand, where pirate tapes are



sold openly on streets to tourists (though the videos won't play on American TV sets). He recently raided a shop in Bangkok that carried 44,000 bootleg tapes. "We've never seen anything of that scale in Seoul," he says. "It is real cowboy and Indian country down there."

#### CHINA AND UNITED STATES CONCLUDE NEGOTIATIONS LEADING TO NEW CHINESE PRODUCT PATENT PROTECTION

WASHINGTON, DC.—The following statement was released by PMA President Gerald J. Mossinghoff in response to the new Chinese product patent protection agreement reached in final negotiations between U.S. and Chinese officials:

America's research-based pharmaceutical companies are pleased that Chinese and U.S. government negotiators have struck an important agreement that will lead to early pharmaceutical product patent protection in the People's Republic of China. This breakthrough opens the door to increased U.S. pharmaceutical sales to a very important market.

The intense intellectual property protection negotiations between Chinese government officials and officials from the office of U.S. Trade Representative Carla Hills have concluded successfully. Both sides are to be praised for their diplomacy and sense of responsibility.

The People's Republic of China has agreed to: provide 20-year product patent protection; provide pipeline protection for pharmaceutical products invented as early as 1984 and provide a substantial period of market exclusivity for such products, and pass and implement product patent protection by January 1, 1993.

The steps outlined in the agreement are a major contribution to intellectual property rights protection in the world's largest country. The agreement marks a major step forward to a position of leadership for China in intellectual property rights protection in the developing world.

This agreement will mean a greatly enhanced trade relationship in the pharmaceutical sector between our two countries and improved health prospects for the Chinese people.

The agreement between U.S. and Chinese negotiators demonstrates that important developing countries—such as China—are fully capable of enacting patent protection for pharmaceutical and chemical products immediately. Indeed, the Chinese government has demonstrated a willingness to correct the inequities in its intellectual property relationships with the United States.

The promise of this agreement can only be realized by faithful implementation, as well as by the continuation of a growing commercial relationship between the United States and China. The PMA, because of this breakthrough, supports further development of the U.S. relationship with China, including support for Most Favored Nation (MFN) status for China.

We can only offer our appreciation and thanks to Ambassador Hills and her colleagues. Once again, they have demonstrated their ability to respond decisively and successfully in the continuing fight against international patent piracy. This fight is one for U.S. exports and U.S. jobs in the high technology American research-based pharmaceutical industry.

#### IIPA APPLAUDS SETTLEMENT OF INTELLECTUAL PROPERTY DISPUTE WITH THE PEOPLE'S REPUBLIC OF CHINA

WASHINGTON.—The International Intellectual Property Alliance (IIPA) today ap-

plauded the U.S. Trade Representative Carla Hills' announcement that the United States has entered into an agreement with the People's Republic of China (PRC) which will extend full copyright protection to U.S. and other foreign copyrights at internationally acceptable levels. U.S. Ambassador Hills had previously announced that trade sanctions would be imposed if the PRC were unwilling to provide full protection for U.S. intellectual property.

Under the Memorandum of Understanding [MOU] signed between the U.S. and the PRC, the Chinese government has committed to raise further the level of protection afforded under its current copyright law (adopted in 1990) and extend the protection of that law to foreign works. Until this agreement, the PRC protected only works of Chinese nationals or works first published in the PRC, and had refused to provide, for example, copyright protection to U.S. computer software as a literary work as required by the Berne Convention.

In the MOU, the PRC agrees to extend protection to all foreign works by joining the Berne Convention effective October 15, 1992 (which will protect U.S. books, movies, music and software), the Geneva Phonograms Convention, effective June 1, 1993 (which will protect U.S. sound recordings), and to protect all these U.S. copyrighted works even before adhering to these Conventions effective 60 days after the signing of this agreement. Another critical feature of this agreement is that it will extend protection to all U.S. copyrighted works created prior to the date the bilateral is signed so long as those works remain protected in the U.S.

The agreement also commits the Chinese government to provide effective enforcement to reduce and eventually eliminate the severe losses now suffered by U.S. industry through piracy in the PRC.

Commenting on this historic agreement, Eric Smith, General Counsel of the IIPA, said "We commend Ambassador Hills and the Administration for insisting that the PRC bring its copyright protection up to an acceptable level. The copyright industries have suffered severe and growing losses due to piracy over the years while we patiently awaited China's decision to protect our intellectual property. We hope we will begin to see these losses diminish."

"This Agreement has been long awaited," he added, "and demonstrates that the Chinese government is now committed to implement internationally-accepted high standards of copyright protection. The IIPA applauds China for showing real statesmanship in agreeing to adopt Berne Convention levels of protection and to enforce the new regulations which will be adopted implementing this agreement. In recognition of this statesmanship and the PRC's commitment to protect U.S. copyrights, IIPA is prepared to speak favorably before the U.S. Congress on the issue of according MFN status to the PRC."

On implementation, Smith commented, "Any benefits we see, of course, will depend on China's good faith implementation of the agreement and on enforcement. We fully expect scrupulous and vigorous compliance with the commitments made in this MOU."

The IIPA, formed in 1984, is composed of eight trade associations, each of which, in turn, represents a significant segment of the copyright industry in the United States. Those associations are: American Film Marketing Association (AFMA); Association of American Publishers (AAP); Business Soft-

ware Alliance (BSA); Computer and Business Equipment Manufacturers Association (CBEMA); Information Technology Association of America (ITAA); Motion Picture Association of America (MPAA); National Music Publishers' Association (NMPA) and Recording Industry Association of America (RIAA).

The IIPA represents more than 1,500 companies which produce and distribute computers and computer software; motion pictures, television programs and home videocassettes; music, records, compact discs, and audiocassettes; textbooks, tradebooks, reference and professional publications and journals. These core copyright industries accounted in 1989 for over \$173 billion in revenues from their copyright-related activities, or 3.3% of the U.S. GNP. According to a report prepared for the IIPA by Economists, Inc. entitled "The Copyright Industries in the U.S. Economy," these industries grew at more than twice the rate of the economy as a whole between 1977 and 1989 (6.9% vs. 2.9%), and employed new workers at a greater rate—5% between 1977-1989—than any other comparable sized sector of the U.S. economy. These industries delivered over \$22 billion in export earnings to this country in 1989.

Mr. BAUCUS. Mr. President, our experience with Special 301 carries several important lessons. First, negotiations work best when the United States sets priorities and deadlines. Special 301 requires USTR to target the worst violators of U.S. rights and puts time limits on the negotiations.

The deadlines force decisions both here and abroad. Recently, Special 301's deadline gave USTR negotiators the leverage to keep China from dragging on talks forever.

Second, the United States must be willing to stand up for its trading rights; again the China talks are instructive. The Chinese knew that if they did not commit to reform, the United States would implement proportional retaliation against Chinese exports to the United States. The credible threat of retaliation convinced China's leaders that they must reform their intellectual property laws.

Special 301 action against China demonstrates an additional lesson about the effectiveness of tailored trade tools. As I have argued for some time, we have a better chance of reforming Chinese behavior if we use policy tools specifically tailored to the problem we seek to address, instead of simply threatening to cut off all trade by revoking MFN treatment.

#### NEW SPECIAL 301 DECISIONS

This spring, USTR must again make a determination as to U.S. priorities in the continuing battle to protect intellectual property rights, and many problems remain.

Taiwan, Thailand, India, and Poland are cited for piracy by almost every sector of the intellectual property industry. Additionally, the motion picture industry faces blatant piracy in Guatemala and Greece. Illegal copying of American computer software continues in Germany, Italy, and Korea.

United States sound recordings are pirated in Paraguay and the United

Arab Emirates. U.S. pharmaceutical manufacturers lose hundreds of millions of dollars to knock off producers in India, Brazil, and Argentina.

The administration should look carefully at these and other cases as it considers priorities for 1992.

#### CONCLUSION

Many were hopeful that multilateral action in the Uruguay round would decrease the importance of United States laws such as Special 301. Unfortunately, new GATT protections on intellectual property appear modest. Negotiators may well fail even to conclude the round.

Creating comprehensive rules governing intellectual property protection worldwide is an important goal. Perhaps one day an effective international regime will make Special 301 unnecessary.

In the meantime, USTR must continue its willingness to use unilateral pressure to stand up for U.S. rights.

I yield the floor.

Mr. GORE. Mr. President, I ask unanimous consent to speak as in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Tennessee is recognized.

Mr. GORE. I thank the Chair.

(The remarks of Mr. GORE pertaining to the submission of Senate Concurrent Resolution 86 are located in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

The PRESIDING OFFICER. Does the Senator suggest the absence of a quorum?

Mr. GORE. I suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXTENSION OF MORNING BUSINESS

Mr. DOLE. Mr. President, is the Senate scheduled to recess at 12:30?

The PRESIDING OFFICER. That is correct.

Mr. DOLE. I wonder if I might ask unanimous consent that that be delayed until 12:45.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

#### SENATOR COATS—MIDDLE-CLASS TAX RELIEF

Mr. DOLE. Mr. President, during the past few weeks we have heard much

about the economy—much about proposals aimed at helping the economy, especially helping the middle-class—and much about the state of the Union.

The President is sure to announce a relief measure designed to help the economy and the middle-class.

But I think that there is one Senator who deserves great credit in reminding us about the struggles that families face.

From his days in the House of Representatives, my good friend and colleague from Indiana, Senator COATS, has been a primary force behind tax relief for the American family.

As I review the record, in this past year alone, Senator COATS led the way with five tax proposals advocating assistance for lower- and middle-income families.

As early as January 14, 1991, Senator COATS introduced legislation which would double the personal exemption.

He later introduced legislation aimed at helping families by increasing and doubling the personal exemption for dependents.

No doubt about it, DAN COATS has helped pioneer the middle-class tax relief movement. In 1991, Senator COATS authored not one but four bills before we heard from any other Senator. The record shows that the American middle-class—American families—have a great friend in Senator COATS.

Senator COATS has already kicked off the tax relief debate, and you can be sure he will be there to push the ball toward the goal line.

It is a real tribute to Senator COATS that some of his ideas will not only be reflected in the game plan President Bush unveils tonight, but also in the plans of our colleagues on the other side of the aisle.

#### UNFAIR AND UNAMERICAN

Mr. DOLE. Mr. President, in this country, in our political system, pretty much any criticism or questioning of a politician is considered fair game. We all get into this business with our eyes open, and we know that public scrutiny, and even unfair allegations, are part of the game.

But even in this business, there are limits. And when criticism goes beyond being unfair, goes beyond being even utterly groundless, and becomes just out-and-out vicious—then it is time to blow the whistle.

One of the most difficult, emotional issues facing this country is the fate of our POW/MIA's. It is an issue which has dragged on far too long, one which must be dealt with urgently. That is exactly why we have established our select committee, under the leadership of Senator KERRY and Senator SMITH.

Certainly, the families and friends of those who are MIA's endure an emotional torment that the rest of us can never imagine. If those emotions some-

times spill-over into frustration or anger, that is something we all understand.

But no one—no matter what their cause or frustration—has the right to issue scurrilous, utterly unfounded attacks on the fundamental character of anyone else.

I have in my hand a flyer that—under the guise of making some points about the POW/MIA issue—contains utterly groundless, mean-spirited, vicious assaults on the character of a U.S. Senator, a U.S. Senator who, more than anyone serving in this body, ought to be immune from questions, or allegations about, his patriotism and commitment to resolving the POW/MIA issue.

The people who put out this kind of trash ought to be ashamed of themselves. The many, many Americans who care deeply about the POW/MIA issue, who are actively and properly involved in demanding that it be resolved immediately—they ought to be outraged that their cause is being misused and distorted by the angry, extremist fringe putting out this garbage. And all Americans who believe in fairness ought to condemn these kinds of dirty tricks as unfair and un-American.

I yield the floor.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER (Mr. NUNN). The Senator from Massachusetts is recognized.

#### THE POW/MIA ISSUE

Mr. KERRY. Mr. President, as chairman of the Senate Select Committee on POW/MIA Affairs, working with Senator SMITH, with whom I have forged a strong work relationship and friendship, I think both of us have been struck by the ferocity and the low-level attack which the minority leader has just referred to.

Both Senator SMITH, I and, in fact, the entire committee have taken pains to pledge and to follow up on that pledge to treat with respect anybody who has any claim to have information or expertise regarding the POW-MIA. And in virtually every case, both public and nonpublic persons and organizations have responded by dealing with our committee frankly and cooperatively and in a mutual effort of trust and in an effort to find the truth.

Sadly, Mr. President, there is now one exception. Yesterday, I saw for the first time a newsletter entitled U.S. Veteran News and Report, dated January 23, published in Kinston, NC. The author is an individual who testified before our committee, and he claims to care about the American servicemen still listed as missing in action from that war.

Frankly, whether that is true or not, I do not know, and I wonder. But what I do know is that he appears to be an individual of such a warped judgment



and of such an attitudinal indifference to reality that it is hard to believe that he is either a friend of the truth or a friend of our POW-MIA's and their families. The newsletter consists of a vicious and wholly unsubstantiated and unseemly personal attack on a member of our committee, whose patriotism and whose service to this country is absolutely beyond question or dispute, a member who has probably given more to this country than any other who serves on the committee or than any other in the U.S. Senate, and whose personal integrity and whose character are well known.

The newsletter is not a statement of political disagreement, Mr. President. It contains no serious analysis of the facts or the issues. It is simply a scurrilous effort to trash the reputation of a U.S. Senator and to feed the atmosphere of suspicion and conspiracy that already clouds this complicated issue.

Ordinarily, I do not believe it would be necessary to respond to allegations that are as palpably ridiculous as those contained in this newsletter. Unfortunately, there is a lesson to be learned in recent years, which is that lies, no matter how pathetic they are, should simply not go unchallenged. So it is my hope today—and I know my colleagues join me in saying this—that these lies will be plowed under the ground and forgotten like the garbage that they are.

Mr. SMITH addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

#### SUPPORTING SENATOR MCCAIN

Mr. SMITH. Mr. President, I thank my colleagues and the chairman of the committee for his remarks, and I thank Senator DOLE for his remarks in support of one of my colleagues, Senator JOHN MCCAIN.

All of us who worked this issue, and certainly those of us on the select committee, realize how emotional, intense, and frustrating this issue is. Under the leadership of Senator KERRY and other members of the committee, we have been able to put together a wide investigation. It is covering all aspects of this issue, most recently the Soviet connection. And to see these kinds of remarks appearing in a public form, a public letter about one of our colleagues is just so aggravating and uncalled for, that even though I hate to give it any credence by responding to it on the floor of the Senate, I feel I must do that.

This is a personal attack, an outrageous personal attack, on the integrity of JOHN MCCAIN. It is a personal attack on his character, and even more important and worse, an attack on his patriotism. This is a man who was a prisoner of war for a number of years and was tortured by the North Vietnamese. It is uncalled for; it is disgust-

ing, and I cannot indicate strongly enough how I feel.

I know I speak for the other members of the committee who are not here. JOHN MCCAIN has a more personal stake in this matter, perhaps, than any of us on the committee or in this body right now, in the sense that, as a prisoner of war who came home, he would like to see this issue resolved. He has worked together with us to do that.

It is certainly not helpful, in finding the truth, to have to put up with these kinds of attacks on one individual who is committed to doing that. It has no useful purpose. Mr. President, no useful purpose whatsoever. I just want to say for the public record that I have written Senator MCCAIN a personal letter indicating my outrage, and I hope that at some point in time the individual will see fit to apologize and move on to the more important task of getting the answers that we all want and are looking for in this committee, and stop this kind of scurrilous personal vendetta against people for absolutely no reason.

I just want Senator MCCAIN to know, speaking for myself and I know for other members of the committee, that we stand with you my colleague, in this very difficult time for you, and we intend to do everything we can to set the record straight in the future with any remarks that we have to make. Thank you, Mr. President.

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER (Mr. KERRY). The Senator from Colorado.

#### SUPPORT FOR SENATOR MCCAIN

Mr. BROWN. Mr. President, I rise out of concern over the attack on Senator MCCAIN. I suppose one of the most rewarding tasks that I have found in the Senate has been the opportunity to serve on the select committee that is investigating the Vietnam POW/MIA issue.

It is rewarding because it has done a job that needed to be done, with integrity; it is rewarding because the select committee has been willing to look into all areas no matter how sensitive. While the committee has not finished its task, I believe before it is finished, it will have gained a reputation for integrity and for a willingness to consider all the facts. What it will do in the long run is much more important: It will set the record straight.

This Nation owes an enormous debt of gratitude to those who served their Nation in a cause that was not very popular at home. All of us know that. We also must find out if any Americans were left behind. Not simply for those Americans' sake, but for the sake of this country, a country that has established a reputation of never turning its back on those who served it.

To not respond to the vicious attack on Senator MCCAIN would be turning

our back on one who served this Nation. Perhaps no family in the history of our Nation has as distinguished a record of military service as the McCains. Perhaps the MacArthur family would provide competition, but it would be close contest.

JOHN MCCAIN carried on his family's great tradition of service to our Nation. JOHN MCCAIN was captured as an American serviceman and served 5½ years of hell in Hanoi. He was a POW at a time when his father was a four-star admiral in charge of a Pacific fleet. The enemy knew and understood the importance of his family and tortured JOHN MCCAIN in a way that far surpasses the suffering of most Americans. I doubt if very many people who have been active on the POW issue could ever compare their suffering experiences to his.

JOHN suffered that hell, and served this country with exceptional distinction. He came home with a list of medals that would make any American proud, including the Silver Star, and the Distinguished Flying Cross. To be smeared by people who ought to be grateful for his exceptional service is simply wrong.

This Nation and this Chamber would be remiss if we did not speak out about the kind of smear that has been perpetrated against JOHN MCCAIN. JOHN's record does not need any defense. JOHN has one of the most distinguished records of any person who has ever served this Nation.

But what does need defense is this country. We need defense against people who would abuse the freedom of speech to smear someone they ought to honor. And we would be remiss if we did not let our voices ring out in identifying the smear for what it is.

We also ought to take advantage of this opportunity, I think, to again express thanks to Senator MCCAIN for his willingness to serve, for his valiant efforts to fight for the cause of freedom, and for his personal integrity that sets an example for all of us.

I hope I personally can play some small part in bringing the facts to light with regard to POW's, and I hope perhaps my effort will be of some value in that area.

But must set the record straight when this kind of misrepresentation takes place. I am deeply grateful that this Nation has enjoyed the service of JOHN MCCAIN, and I hope when the people who perpetrated this smear calm down and have a chance to reflect on their own actions, they will not only apologize but they will seek to set the record straight.

I yield back the floor, Mr. President.

Mr. NUNN addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

#### MORNING BUSINESS

Mr. NUNN. Mr. President, I do not want to interrupt anyone who wants to

speak on this particular subject, which I know is very important to get the record straight on this, but assuming those comments are over I ask unanimous consent that there now be a period of morning business with Senators permitted to speak therein, and that I be recognized for up to 15 minutes, and Senator METZENBAUM for up to 10 minutes, and at the conclusion of Senator METZENBAUM'S remarks the Senate stand in recess until 2:15 p.m. today.

The PRESIDING OFFICER. Is there objection? Hearing none, it is so ordered.

Mr. NUNN addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

#### THE CONTRIBUTION OF OUR MEN AND WOMEN IN UNIFORM IN WINNING THE COLD WAR

Mr. NUNN. Mr. President, as we begin the debate this year on the size and shape of our military forces for the future, I think it is appropriate to pause and recognize the vital role that our men and women in uniform and their families have played in bringing about the successful conclusion of the cold war.

Debates on defense usually focus on weapons systems. There is a certain glamour associated with airplanes that can fly at supersonic speeds and deliver devastating munitions with precision. There is a certain glamour in tanks that can roar across vast, rugged expanses and deliver crushing firepower with pinpoint accuracy. There is a certain glamour in submarines that can operate underwater for months at a time and attack undetected. There is a certain glamour to systems in development that can shoot down missiles from space. And indeed, there is a certain glamour in hand-held, smart weapons that can track down and destroy moving targets in the air and on the ground. We saw many of these weapons in action on live television coverage of the Persian Gulf conflict. The results demonstrated to the world the outstanding technological achievements of the American defense industry and the men and women in the defense industry.

Yet, none of our weapons would have been effective without the highly professional, well-trained, dedicated men and women in uniform who have endured the sacrifices of military service with their families over the past 40 years—in peacetime and in wartime.

Mr. President, from the end of World War II until today, over 23,000,000 Americans have served in our Armed Forces. Of this number, 16,600,000 served during major conflicts—5,700,000 during the Korean conflict; 8,744,000 during the Vietnam conflict; and 2,160,000 during the Persian Gulf conflict. A total of 112,688 Americans made the ultimate sacrifice for their country

in these three conflicts, and more than twice that number were wounded:

In the Korean conflict, 54,260 American soldiers lost their lives, and 103,284 were wounded.

In the Vietnam conflict, 58,135 American soldiers lost their lives, and 153,303 were wounded.

And most recently in the Persian Gulf conflict, 293 Americans lost their lives, and 467 were wounded.

In addition to these major conflicts, Mr. President, American military men and women have been called on to carry out other military operations in varying size and intensity all over the world, most recently in Operation Just Cause in Panama. In just the last 12 years, 502 military members have been killed in these operations and in mindless terrorist bombings and hostage situations. For example, 268 military members were killed in Lebanon during peacekeeping operations in 1982-84. Scores more were killed in operations in the Dominican Republic, Grenada, and Panama. Military personnel lost their lives in El Salvador and Guatemala; in the Sudan and the Sinai; in both Germanies; and along the Korean DMZ long after the Korean war armistice.

Along with these deaths from hostile actions large and small, 15,158 military members have died in unavoidable accidents of military life and training since 1979, reminding us that even in the best times military service is a dangerous profession.

Mr. President, each and every one of these losses added to the price our Nation paid to win the cold war.

In the decades since World War II, we have called on our men and women in uniform to keep the peace, and to fight when necessary to preserve our national security interests. We have called on our men and women in uniform to maintain a formidable forward presence to deter war in Europe and in Asia. We have called on our men and women in uniform to maintain a high degree of combat readiness through rigorous training on land, at sea, and in the air. We have called on our men and women in uniform to stand alert at remote and isolated radar stations, missile silos, ground outposts, and on lengthy deployments at sea. And we have called on the families of military members to bear unique burdens: long periods of family separation; frequent moves around the country and the world, often to isolated military installations; and—in time of conflict—the numbing anxiety over the fate of their loved one.

The successful conclusion of the cold war is a tribute to the skill, the dedication, and the patriotism of every single individual who responded so magnificently to these calls from their Nation.

Mr. President, in addition to carrying out their responsibilities as warriors, military men and women have

served as ambassadors of good will in countless humanitarian missions around the world. They have unselfishly transported medical and food supplies, provided medical aid, evacuated victims of natural disasters, restored needed communications, and repaired roads and bridges as well as many other tasks.

These humanitarian efforts by our military members carried the American ideals of freedom and democracy and humanitarian concerns throughout the globe. America demonstrated to our adversaries that we had the strength, resources, and resolve to defend our interests and our allies militarily; but we also showed the world that we had the compassion to help friends and adversaries alike when natural catastrophes imperiled human lives. And we are doing that again in our former adversarial country, the former Soviet Union and the Republics, and the people there who need assistance with food and medicine.

In recent times, American service men and women rushed assistance to earthquake victims in Armenia in 1988; assisted hundreds of thousands of Kurds in Northern Iraq in 1991; helped provide emergency assistance to almost 2 million people affected by flooding in Bangladesh last year; and restored order in our own Virgin Islands after Hurricane Hugo in 1989. Today, military members are providing assistance to thousands of Haitian refugees at the Guantanamo Bay Naval Base in Cuba whom they helped rescue from unseaworthy vessels, and are airlifting food and medical supplies to the needy citizens of the newly independent republics of the Commonwealth of Independent States.

Mr. President, the cold war is over, but the Nation still relies on our men and women in uniform to keep the peace as our former adversaries struggle to overcome years of economic and political decay to join the free world community. They must do so in an uncertain environment as our military forces become smaller as they will and must. Our challenge will be to ensure that we maintain sufficient strength and resolve over the next 10 years and in the years thereafter to guarantee the victory of our men and women in uniform that they sacrificed to win, and that this victory will result in peace and democracy in the world. Our military services will be smaller in the future, but they will still require well-trained, well-equipped, highly motivated men and women to be fully combat ready.

At the same time, we must take care of—and this year we are going to be discussing this quite a bit because it is very important—we must take care of the 300,000 or more people who will be leaving military service each year over the next few years as we reduce the size of the Defense Establishment.



All of us were, of course, disturbed when we read about the layoffs at General Motors and in other industries throughout our country. But none of these layoffs will be nearly as significant in terms of the numbers of people as the numbers of people who will be getting out of military service not just this year but in the next several years.

These people helped win the cold war as well as the hot war in Operation Desert Storm, and they deserve to return to secure jobs and homes in our towns and cities. This will require resources which we must continue to provide.

In a series of speeches over the next several days, I intend to address these challenges—supporting our men and women in uniform during the defense build down; minimizing the effect of the defense transition on our men and women in uniform; and capitalizing on our investment in our men and women in uniform as they leave military service, because we will have the largest number of well-trained highly motivated, well-qualified, and well-educated people getting out of our military today than we have had in many, many years, and they will be able to play if we give them a hand—not a handout, but a hand—in terms of getting employment, and let the people out there in the private sector and in the public sector know about their talents. They will be able to contribute immensely to the productivity and the economic future of our Nation.

Mr. President, as the cold war recedes in history and we turn our attention to the challenges of the future, we should all pause to acknowledge the tremendous debt we owe to those who have served in our military services and who continue to serve. I salute them and their families, and I pledge to them that their contributions and sacrifices will not be forgotten as we go about our Nation's business.

Mr. METZENBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. METZENBAUM. Mr. President, before I address myself to the issue for which I rise, I commend the Senator from Georgia for taking the time to commend the young men and women who serve in our Armed Forces. I think he speaks for all of us when he says that we owe all of them a great debt of gratitude, and I join with him in indicating that appreciation to all of them.

And in passing, I might say to the Presiding Officer, to you, too, sir, we owe you a debt of gratitude for your service.

#### AMERICANS WANT ANSWERS

Mr. METZENBAUM. Mr. President, for the past 15 months, I have traveled the Nation on behalf of the Coalition for Democratic Values, an organization

I chair, and have listened to Americans who are hurting.

From Boston to Atlanta, from California to Iowa, I have watched the frustration of our citizens grow as the President's short and shallow recession has grown deeper and wider, and I have listened to the testimony of people who are struggling to keep their heads above water.

These Americans want answers, answers about our crumbling infrastructure, our dismantled manufacturing base, the surge of foreign imports, and the squeezing of the middle class.

The President promises those answers and more tonight. It is about time.

Until now, the only domestic policy action that appeals to the President is the veto. The Congress has passed a textile bill, a housing bill, a parental leave bill, a minimum wage bill, and on and on. All vetoed. More vetoes than any elected President in nearly 40 years. What is more, he has threatened to veto more than 200 times. George Bush issues veto threats against legislation before it is even written.

I have said it before and I say it again, I do not want to hear about his threats of a veto. I think we in Congress have to do our job. But this President is planning vetoes for a health care bill, a campaign reform bill, a striker replacement bill—it goes on. The list is a long one. Take your pick. It reflects a kind of negativism. It is a kind of trying to govern by negative thinking, threats of vetoes rather than sitting down and working with the Congress to develop a positive economic program for this country.

So I am interested in this President's change of heart. I am also skeptical. I expect we will hear about the same old repackaged and warmed over pet proposals that the administration has trotted out year after year.

Mr. President, the people of America want new thinking, with real answers.

Last week, the Coalition for Democratic Values put forth a detailed proposal for the long-term growth of the American economy. It has been endorsed by economists like Lester Thurow, John Kenneth Galbraith, and Robert Reich, and business people like Bill McSweeney of Occidental Petroleum and Bernard Rappaport of American Income Life Insurance Co. It also is supported by labor leaders, elected officials, mayors, and educators.

It was put together under the leadership of a committee chaired by Ray Marshall, the former Secretary of Labor in the Carter administration, and Marcus Alexis, a very distinguished professor of Northwestern University.

I ask unanimous consent that the economic proposals put forward by that group be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### A NEW PROGRAM FOR SUSTAINED GROWTH: THE COALITION FOR DEMOCRATIC VALUES' PROGRAM FOR A HIGH-WAGE, HIGH-PRODUCTIVITY ECONOMY

The dramatic events of 1991 provide a once-in-a-lifetime opportunity for Americans to redirect our nation's resources to social investment and economic growth. The Coalition for Democratic Values has made such a program our top priority for 1992.

We call for important changes in the 1990 congressional budget agreement, including as a first step, breaking down the artificial "firewall" set up between domestic spending and spending for defense, half of which goes to protect Western Europe against a country which no longer exists.

Specific elements of our domestic program include: (1) Increasing public investment in human resources, physical infrastructure and public services by \$100 billion over five years, with \$50 billion in the first year. Much of this money would go to states and localities to fund ready-to-go programs put on hold because of fiscal crises. (2) New and expanded initiatives in job training and retraining; a complete restructuring of the higher education finance system; and guaranteed access to quality public education. (3) Universal health care, expanded preventive care for pregnant women and children; and other pro-family initiatives including family leave; and (4) Help for communities affected by the defense "drawdown."

In the short-term, these programs would be paid for by: (1) Savings from the military budget of a further \$150 billion by reducing the money spent to defend Europe against a threat that no longer exists, scrapping the B-2 program, and restricting SDI to research and development. A special five-year investment fund would be established with the savings; (2) A new private sector initiative whereby companies allocate one percent of payroll to job training; (3) Establishing a fourth income-tax bracket at 35%, a "millionaire's surtax"; and (4) Eliminating government "pork" projects that have not cleared the normal appropriations process.

In addition, we call for trade policies that: (1) Create disincentives for American companies to relocate off-shore; (2) Reverse America's tradition of passively allowing greater access to our markets than other nations allow us in return; and (3) Discourage other nations from unfairly exploiting the environment and their people.

To build consensus on reaching these goals and to identify new ones on the sectorial and micro-economic level, we urge the formation of a permanent, bi-partisan, public- and private-sector Economic Policy Council.

America's greatness can be revitalized and re-affirmed for the next century, but not if we only pursue short-term policies designed to increase consumption. This document outlines a realistic plan that can be put into action now, and put much-needed resources to work for the nation's future.

#### 1. THE CURRENT ECONOMIC RECESSION

Prompt governmental action is needed to end the recession. Extended unemployment benefits, while necessary, are not enough. Middle class tax relief could help, but a one-time rebate should not undercut public investment now for the long term.

The domestic economy—buffeted by massive layoffs, budget deficits, the savings and loan bailout and other problems—needs an immediate "shot in the arm" that can simultaneously improve short-term demand and long-term productivity. A priority is increased federal commitment to funding infrastructure and basic public services in pub-

lic safety, health care, education, social and environmental services. The framework for implementing many programs for productive investment is already in place; state and local governments have substantial numbers of ready-to-go projects—schools, roads, bridges, hospitals—on hold because of fiscal crises.

A five-year investment of \$100 billion, being with \$50 billion this year, above and beyond current measures like the 1991 transportation bill would 1) clearly provide sufficient stimulus to help bring the economy out of recession and 2) pay for much needed public investments that will increase private sector productivity, profitability and employment for the long-term, no matter when the recession ends.

Such an investment program should be financed by a five-year Special Investment Fund based on reduced defense spending. By using funds allocated to an outmoded defense of Eastern Europe, the fund would pay for itself over five years and would not contribute to the long term federal debt. Deficits in this Fund during the recession would be offset by surpluses as recovery accelerates.

## 2. INVESTING IN AMERICA FOR GROWTH

America must adopt a high-wage, sustainable growth strategy to promote our long term economic well-being. In today's highly competitive global economy, we cannot compete by driving wages down, transferring production facilities outside the US, investing only in new off-shore facilities or ignoring our environment or worker safety and health. Real growth means improvement in productivity, in wages and in the quality of life, not merely expansion for its own sake.

In the long run, the US economy will prosper and provide a broad base of well-paid jobs only if this country becomes a more attractive place for productive and environmentally sensitive investments. This must be a nation where foreign and domestic businesses increasingly choose to utilize our workforce and infrastructure and not just our markets, and where our own businesses create new facilities instead of moving their operations to Mexico, Asia or other off-shore facilities.

To achieve these goals, the US must invest more heavily in education, job-training and physical infrastructure. We must develop a system for reaching consensus about national economic priorities and where to target our resources. We must have a trade policy that is fair with rules for co-operation. Specific elements of this program:

(a) Comprehensive Job Training. A high-wage, high-growth strategy depends on making America's workforce the world's best-trained and educated. The quality of our workforce and infrastructure will determine the desirability of the US as a location for high-skill jobs and investment. Making the US workforce the highest quality in the world will require major new public programs:

A national, private-sector initiative to provide training for front-line workers. Companies should be given the choice of either allocating 1% of their payroll for job training or paying 1% of their payroll into a separate fund for worker education and training.

Higher academic and behavior standards in America's public schools with a full commitment to providing the resources, staff, and programs to help all students meet high standards.

School-to-work transition programs centered in public schools, community colleges and vocational and technical schools.

Alternative education centers to provide high academic skills for young people who

need options besides traditional high schools. These "youth centers" could build on the experience of the highly successful Job Corps and should be available not only to the disadvantaged, but to all non-college bound youth.

Special efforts to meet the skill development and supportive needs of minorities and women, who will constitute over 90% of the workforce growth during the 1990s.

(b) Economic Policy Council. There is growing evidence that greater cooperation between and within the public and private sectors great improves national economies. Such consensus processes do not substitute for regular public or private decision-making, but strengthen the process by providing all parties better information and narrowing the range of conflict, especially over trivial matters.

We therefore believe the US should create an Economic Policy Council. This council would comprise high level public and private representatives to build consensus on economic goals, priorities and strategies including fairer distribution of general economic gains, and more participation in the economic decisions that affect people's lives. It would be bipartisan and adequately staffed to provide the best available information and analyses of economic priorities. Unlike the president's Council of Economic Advisors, the EPC would be charged with establishing goals and making specific recommendations on a sector and micro-economic basis. The terms of the private sector members of the EPC should be staggered to permit continuity when administrations change.

(c) Preventing corporate flight to low-wage nations. US-based corporations often seek short-term cost competitiveness advantages by closing down U.S. operations and reopening in foreign countries where wages, benefits and the environmental and other costs may well be lower.

Under present law, companies which decide to move to other nations aren't required to defray the costs of closing U.S. facilities. "Internalizing" the social costs would therefore be good economics and good public policy. Making firms responsible for all their costs force companies to take longer time perspectives. Requiring them to bear a larger share of the costs of change, as is done in most other countries, creates disincentives to low-wage strategies.

We therefore recommend a two-part policy to eliminate these incentives to ship production jobs out of the United States:

It's good economic policy to require firms to pay the full cost of production and therefore we should not subsidize companies in shifting to overseas locations. We should create disincentives for companies that close down operations here and reopen them in other countries.

The U.S. should have positive adjustment policies that promote an equitable sharing of costs and benefits of change. We might create adjustment funds into which all companies should pay. These funds could be patterned after the liabilities companies currently incur to meet their environmental pollution costs.

(d) Economic conversion. The Cold War's end poses new challenges to the U.S. economy. While the potential to significantly reduce defense spending makes resources available for social uses, it also will mean shifting much defense industrial capacity to civilian uses, decommissioning military bases, and reducing significantly direct and indirect military employment.

A comprehensive program for the conversion of our defense industrial establishment is an urgent priority. Nearly 150,000 defense industry workers were laid off in 1990 and over 100,000 in 1991. A well-conceived economic adjustment plan must include the following initiatives:

Economic incentives for advance planning to develop new products, retool, reorganize production, develop marketing capabilities and retrain managements, engineers and others for commercial work.

Community economic redevelopment funding and assistance for adjusting to base closure and major reductions at military plants.

An adequately funded worker adjustment policy to provide job training, income maintenance and job relocation benefits.

A small business assistance program to help subcontractors and supplier firms, who are often the first to be affected by cutbacks.

America is also facing serious long-term environmental problems associated with our defense-energy weapons complex and with various toxic waste problems at defense bases. Solving these will require coherent and coordinated efforts by the federal government.

(e) Open but fair trade. All countries, especially the U.S., have much to gain from an open and expanding international economy. There are, however, two preconditions to a healthy international economy.

Trade must take place within rules that prevent economic or environmental exploitation. Trade-linked standards help strengthen the global economy by encouraging competition on the basis of efficiency and by improving living and working standards for workers in all countries, which in turn fuels global demand for imported products. Standards that expand worker rights abroad will protect American jobs as well. These standards should be complemented with domestic income and training assistance to cushion trade-induced dislocation.

Trading nations must recognize that it is natural for countries to have active policies to promote the interest of their domestic economies. Under conditions of greater worldwide economic parity, the United States can no longer passively allow other countries greater access to our country than they provide to theirs.

Finally, since environmental degradation does not respect international political boundaries, sustainable economic development requires a formal recognition of the environmental and employee protection costs of production.

## 3. ADDRESSING THE NEEDS OF AMERICA'S FAMILIES

The short-term and long-term economic problems facing this country fall disproportionately on middle- and low-income families, who bear the brunt of skyrocketing health care costs, rising costs for education and declining services at the state and local level. For what they get in return, middle-income families pay an unfair share of the tax burden. Meanwhile, families with two wage earners, many of whom barely bring in the income that one wage earner brought in 20 years ago, perform a daily balancing act that pits work against family life.

Our country needs to provide relief to America's families. Such a program must include:

(a) Universal access to quality public schools. Quality education is a right of every American, and all American families should be assured that their children have access to schools that have high standards for aca-



democratic excellence, adequate facilities and textbooks, a safe and well-disciplined school environment, and a diverse program that helps prepare American youth for the challenges of the next century.

Every community must assume the responsibility for setting goals and supporting programs that help meet the National Education Goals. And when a community does not have the resources to attract and retain quality staff and maintain adequate facilities and programs, state and federal governments must provide the assistance necessary to assure access to educational opportunity.

(b) Affordable higher education. Our system of financing higher education needs to be fundamentally restructured. The balance between grants and loans needs to be shifted. Additional grants must be available to low- and middle-income families. Student loans must be made universal, available to everyone. The current system of the federal government providing costly guarantees to private banks and secondary market organizations must be replaced by a simpler and cheaper program of direct government lending. And the current system of repayment must be changed to one that is based on the individual's income after graduation.

This system of Universal, Direct, Income Contingent (UDIC) student assistance will re-open the doors of higher education to hundreds of thousands of young people, allow them greater choice in both their education and their occupations after school, and allow them to manage their debt in a rational way. It is also simpler to administer and will save enough funds from the current system to allow an expansion of direct grants to needy students, as well as merit based and early incentive programs.

(c) Comprehensive national health insurance. America is facing a crisis in health care delivery. The cost of health care to the average family is soaring. Although America spends more on health care than any other advanced industrial country, and has the most advanced and sophisticated health care technology in the world, our health care delivery system in many basic ways is failing. We're paying more and more for health care and getting less and less real coverage.

A fair and rational health care system will result in savings not only to families and individuals, but to society at large. America needs to adopt a national health care system that includes the following elements:

Universal health insurance coverage for Americans. Nobody should lose insurance because she or he lost a job.

A single system of paying hospitals and physicians that establishes an overall limit on health spending and provides for greater efficiency and productivity in the health sector.

Preventive care and nutrition, especially for infants, pregnant women and children, a modest investment that can save billions of dollars in health care costs later in life.

Reducing the financial burden on America's businesses and workers that comes from out-of-control health care costs and undermines our international competitiveness.

Reducing high administrative costs and premiums common for health insurance offered to small businesses.

Stopping the exclusion from health care coverage of individuals who are higher risk or have pre-existing conditions.

(d) Tax equity. Even after the much-heralded reforms of 1981 and 1986, our tax code is rife with loopholes and deductions that benefit the wealthy over the rest of us. To help the great majority, America needs a tax

break to the middle class—a children's tax credit, an income tax credit for social security and medicare taxes or some other form of relief. It should be paid for by a "millionaire's surtax," a fourth individual income tax bracket of 35% for high-earning individuals and couples. We should not simply turn the peace dividend into a one-time rebate to stimulate consumption.

(e) Family and parental leave. Our competitor nations all demand that employers help parents meet their dual responsibilities as parents and workers, especially with the birth of a child or care of an ill family member. We especially need to get companies here to accommodate the realities brought on by the influx of tens of millions of women into the permanent workforce since 1970.

(f) Expanded housing programs to address the needs of the growing number of homeless and the decline of affordable housing for middle income people.

#### CUTTING GOVERNMENT WASTE

Hundreds of pet projects are tacked onto the budget each year, long after the authorization and appropriations processes are concluded. Regardless of their merit, these hidden appropriations should be halted, and all appropriations should undergo the full scrutiny and open debate of the regular budget process. Eliminating the classic "pork" projects will yield untold savings in the future.

#### CONCLUSION

No matter where one stands on the political spectrum, it's obvious that America, like the rest of the world, stands at an historic crossroads. We can choose the path that leads to greater economic security and a sustainable, high-wage, high-productivity economy, or continue down the road to second-class status as a nation, our greatness reduced to a sentimental reminiscence. The choice has never been clearer, the stakes have never been higher. The time to decide is now.

#### COALITION FOR DEMOCRATIC VALUES' ECONOMIC SECURITY PAPER

The following economists, business people, labor leaders, elected officials and prominent individuals have endorsed the principles of the Coalition for Democratic Values Economic Policy Paper (organizations named are for identification purposes only):

Marcus Alexis (CDV Economic Policy Committee Co-chair), Northwestern University.  
Morton Bahr, President, Communications Workers of America.

Nancy Barrett, Provost and Vice President Academic Affairs, Western Michigan University.

Bob Bergland, Executive Vice President, National Rural Electric Cooperative Association (NRECA).

Norman Birnbaum, Georgetown School of Law.

Barry Bluestone, McCormick Institute, University of Massachusetts.

Bob Borosage, Institute for Policy Studies.  
Samuel Bowles, University of Massachusetts.

Bob Brandon, Vice-President, Citizen Action of Washington, DC.

Don Cameron, Executive Director, National Education Association.

Edward Carluough, President, Sheet Metal Workers Union.

Karen Davis, Professor and Chairman, Dept. of Health Policy and Management, Johns Hopkins School of Hygiene and Public Health.

Jeff Faux, President, Economic Policy Institute.

Howard D. Samuel, Industrial Union Department.

Lester C. Thurow, Sloan School of Management, Massachusetts Institute of Technology.

Kathleen Kennedy Townsend, Director, Maryland Student Service Alliance.

Richard Trumka, President, United Mine Workers of America.

Steven Veiderman, Jessie Smith Noyes Foundation.

Mr. Paul Warnke, Former Director, Arms Control and Disarmament Agency, Partner, Howrey & Simon.

Roger Wilkins, Robinson Professor, George Mason University.

William Julius Wilson, Lucy Flower University Professor of Sociology, University of Chicago.

Alan Wurtzel CEO, President, Circuit City Stores, Inc.

James Galbraith, LBJ School of Public Policy.

John Kenneth Galbraith, Paul M. Warburg Professor of Economics Emeritus, Harvard University.

David Gordon, New School for Social Research.

Dr. Sydney Harman, President, Harman International, Inc.

Heidi Hartmann, Director, Institute for Women's Policy Research.

Bennett Harrison, Carnegie-Mellon University.

Roger Hickey, Vice-President, Economic Policy Institute.

Jim Hightower, Former Texas Secretary of Agriculture.

George Kourpias, President, International Association of Machinists.

Ray Marshall (CDV Economic Policy Committee Co-chair), LBJ School of Public Affairs, University of Texas at Austin.

Jay Mazur, President, International Ladies Garment Workers Union.

Gerald McEntee, President, American Federation of State, County and Municipal Employees.

Dorothy McSweeney.  
William McSweeney, Former CEO, Occidental Petroleum Inc.

Michael Piore, Massachusetts Institute of Technology.

Bernard Rapoport, Chairman of the Board, American Income Life Insurance Company.

Robert B. Reich, John F. Kennedy School of Government, Harvard University.

ADDITIONAL COALITION FOR DEMOCRATIC VALUES, ECONOMIC POLICY COMMITTEE MEMBERS

Debra DeLee, Director of Legislative Affairs, National Education Association.

Peter Dreier, Director of Housing, Boston Redevelopment Authority.

Barbara Easterling, Vice President, Communication's Workers of America.

Reg Gilliam, Chief of Staff, Congressman Louis Stokes.

Donna Gold, Senior Professional Associate, National Education Association.

Joseph Gould, Writer, Public Affairs Director.

Jim Grossfeld, Director, Media Relations, United Mine Workers of America.

Steven Jonas, M.D.

Jeremy Karparkin (Primary drafter of the document), Deputy Chief of Staff, Senator Paul Simon.

Jerry Klepner, Director of Legislation, American Federation of State and County Employees.

David Kusnet, Writer.

Howard Leibowitz, Director of Federal Relations, Boston Mayor Raymond Flynn.

Rick McGahey, Legislative Assistant, Senator Edward Kennedy.

Phil McLaurin, Manager of Information Services Unit, National Education Association.

Segundo Mercado-Lorens, Associate Director, Public Affairs Dept., Director, Legislative Affairs, United Food and Commercial Workers.

Reggie Newell, Director of Research, International Association of Machinists.

Anthony Podesta, Podesta Associates.

Michael Pons, Senior Professional Associate, National Education Association.

Howard D. Samuel, Industrial Union Department.

#### Members of Congress

Sen. Edward M. Kennedy.

Sen. Howard M. Metzenbaum.

Sen. Paul Simon.

Sen. Paul D. Wellstone.

Rep. Neil Abercrombie.

Rep. Les AuCoin.

Rep. Ronald V. Dellums.

Rep. Fortney Pete Stark.

Rep. Louis Stokes.

Rep. Ted Weiss.

Rep. Sidney R. Yates.

#### Mayors

J.E. Bud Clark, Mayor, City of Portland.

Peter Clavelle, Mayor, City of Burlington.

John Daniels, Mayor, City of New Haven.

Richard Clay Dixon, Mayor, City of Dayton.

Raymond Flynn, Mayor, City of Boston.

Donald Fraser, Mayor, City of Minneapolis.

Sharpe James, Mayor, City of Newark.

John O. Norquist, Mayor, City of Milwaukee.

Pete Sferazza, Mayor, City of Reno.

Mr. METZENBAUM. Our proposal calls for a major redirection of our Nation's resources toward social investment and economic growth.

The 1990 budget agreement needs to be revised to permit a shift in defense spending to other social spending programs.

Specifically, our proposal calls for:

First, increased public investment in human resources, infrastructure, and public services by \$100 billion over 5 years;

Second, expanded job training and retraining programs;

Third, guaranteed access to quality public education;

Fourth, universal health care; and

Fifth, assistance to communities hit by the defense drawdown.

These new programs would be paid for by cuts in defense programs.

Mr. President, the President of the United States has an opportunity this evening to bring forth some new positive actions, some new positive efforts, to reawaken this country out of the economic recession which it is in. We all wish him well, but I am afraid we are going to get more of the same.

Mr. President, I am prepared, as one Member of this body, to work with the President in a positive way to bring this country out of the recession and make this Nation the competitor worldwide that we want it to be and know that it can be. I believe that together we can put our people back to work and give this economy the vitality which it is possible of having.

Mr. President, I yield the floor.

#### RECESS UNTIL 2:15 P.M.

The PRESIDING OFFICER. Under the previous order the Senate will stand in recess until the hour of 2:15 p.m.

Thereupon, at 1 p.m., the Senate recessed until 2:15 p.m. whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. ADAMS].

#### STRENGTHENING EDUCATION FOR AMERICAN FAMILIES ACT

The Senate continued with the consideration of the bill

##### AMENDMENT NO. 1479

The PRESIDING OFFICER. Under the previous order, there will now be 10 minutes' debate on the Nickles amendment No. 1479. Who seeks recognition?

Mr. BENTSEN. Mr. President, I suggest the absence of a quorum, and ask the time be equally charged to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BENTSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas is recognized.

Mr. BENTSEN. Mr. President, I yield myself 2 minutes, and ask that that be called to my attention.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENTSEN. I understand the appeal of the Learnfare concept. All of us want our children to get a better education, to make this Nation competitive in the world's economy. And the idea behind the Learnfare proposal is being tested in the State of Wisconsin under waiver by the Secretary of HHS.

But there are important differences between what is being proposed by the Nickles amendment and the Kasten amendment this afternoon, from what is taking place in Wisconsin. Under this amendment, a 6-year-old who misses school because his mother is a drug addict could lose his public assistance benefits without anyone paying any attention to what that child really needs, which is help in getting his mother off drugs.

In other words, we must ensure that innocent children are not the victims of a policy that fails to include reasonable safeguards.

When the administration approved Learnfare for young children in Wisconsin it looked for a balance, a safety net, to be sure that that child gets help with that problem, the one that is

interfering with it going to school. The problem you are running into is that you make a study of this situation where children miss school, and you find in 41 percent of the cases they are either in the children's court, or you are finding an indication of an abusive parent or a drug addict. And you are not looking back to the problems that are causing that child to miss school.

That is what we are trying to take care of.

Senators ought to also note that a report with an evaluation of Wisconsin's Learnfare Program will be released at the end of this month. I think Senators ought to wait and at least see what that report carries out before they take a stand on this issue.

The other point is, this is the jurisdiction of the Finance Committee. We have Senator MOYNIHAN, who is quite prepared as chairman of that subcommittee, to see that this is included in the study in his hearings.

I yield 2 minutes to my friend, the chairman of the subcommittee, the distinguished Senator from New York [Mr. MOYNIHAN].

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, I would like vigorously to endorse the statement of the distinguished chairman of the Finance Committee. This amendment would be an amendment to the Social Security Act. That is not on the floor.

Our committee will be holding hearings this coming Monday. We have invited the distinguished Senators from Wisconsin and from Oklahoma to testify. We will hear from the administration. We will hear from all those who are concerned parties, and there are many. And we will learn more about the evaluation when it comes.

I urge the Senate to follow the lead of the chairman of the Finance Committee.

The PRESIDING OFFICER. The Senator from Texas.

Mr. BENTSEN. Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator has 56 seconds remaining.

Mr. BENTSEN. I withhold the remainder of my time.

Mr. NICKLES. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 4 minutes remaining.

Mr. NICKLES. Mr. President, this amendment, the so-called Learnfare amendment, is an amendment that basically would allow States to have some connection between welfare benefits and compulsory school attendance, without the need of a waiver from the Department of Health and Human Services. This was an amendment, frankly, that came to me from individuals who were in public housing, who said: This system does not work very well. There are a lot of these young-



sters who are not going to school. We ought to put some kind of restrictions on to make them go to school.

This legislation allows the States to set up a program that encourages welfare recipients to have their kids in schools. If the State wishes to have a reduction in welfare benefits as an inducement to get these youngsters in school so be it. This allows the States the flexibility to do so. Right now, they run into a roadblock; they run into a hurdle. They run into the Department of HHS. Sometimes it takes months to obtain a waiver from HHS.

Actually, the State of Wisconsin, I think, was working on this for about 2½ years. One permit took 5 months; another permit took 10 months. But if you look from the time they started their program to the time they got there ultimate permit, you are talking about a period of a couple of years.

Governors and others want the flexibility. They want to have these programs work. They want to have welfare recipients get their children in school so they can break the cycle of governmental dependency; so they can keep people from dropping out of school, and ending up in trouble. Many are in jail because they did not go to school. Many end up depending on welfare; many end up on unemployment; and, in many cases, they end up in jail.

I have three letters: one from the Governor of Oklahoma urging adoption of this amendment; one from the Oklahoma State School Board Association, which also urges adoption of this amendment; and, likewise, a letter from Big Brothers and Big Sisters of Oklahoma City. I will read this one sentence:

A well-prepared, educated, and literate child has unlimited opportunities and I support any legislation that promotes and demands school attendance.

Mr. President, I ask unanimous consent that excerpts from the letters be printed in the RECORD and I reserve the remainder of my time.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

OKLAHOMA STATE  
SCHOOL BOARDS ASSOCIATION,  
Oklahoma City, OK, January 28, 1992.

Hon. DON NICKLES,  
U.S. Senate, Hart Senate Office Building,  
Washington, DC.

DEAR SENATOR NICKLES: Oklahoma Task Force 2000 recommended correlation between AFDC payments and school attendance. We see your proposal as one way to deal with high student dropout rates and other problems associated with at-risk students.

Sincerely,

WALT HUSHBECK,  
President.

Dr. BOB MOONEYHAM,  
Executive Director.

BIG BROTHERS, BIG SISTERS,  
OF GREATER OKLAHOMA CITY,  
Oklahoma City, OK, January 21, 1992.

ERNIE SCHULTZ,  
Director of Communications, Senator Don Nickles,  
Oklahoma,  
Hart Office Building, Washington, DC.

DEAR MR. SCHULTZ: I am continually impressed with the Senator's commitment to the children of this state and country and agree wholeheartedly with the Senators comments concerning education and breaking the welfare dependency cycle.

A well-prepared, educated and literate child has unlimited opportunities and I support any legislation that promotes and demands school attendance. Please continue to keep me informed of the Senator's agenda.

Regards,

JAMIE L. TYSON,  
Executive Director.

STATE OF OKLAHOMA,  
WASHINGTON, DC OFFICE,  
Washington, DC, January 28, 1992.

Hon. DON NICKLES,  
U.S. Senate, Hart Senate Office Building,  
Washington, DC.

DEAR SENATOR NICKLES: I am writing in support of your amendment to S. 2, the "Neighborhood Schools Improvement Act" which allows states the flexibility needed to implement innovative education and welfare reforms without onerous and cumbersome regulatory barriers.

The objectives of the "Learnfare" program which your amendment addresses are commendable. Unfortunately, it has been difficult for states to implement such creative programs due to an intransigent bureaucracy. I applaud your efforts on behalf of states' regulatory relief in order to benefit Oklahoma citizens dependent on state and federal assistance.

The link between the lack of an education and poverty has been clearly demonstrated. If we can break the cycle of despair and welfare dependency through compulsory education then we can honestly say our economic recovery has begun.

Sincerely,

DAVID WALTERS,  
Governor.

The PRESIDING OFFICER. Who yields time?

Mr. BENTSEN. Mr. President, how much time is left on each side?

The PRESIDING OFFICER. The Senator from Oklahoma has 1 minute and 24 seconds. The Senator from Texas has 56 seconds.

Mr. BENTSEN. Mr. President, I yield the remainder of my time to the distinguished Senator from Wisconsin, who is very interested and concerned about this.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. KOHL. Mr. President, I would just say a few words in opposition to Kasten-Nickles. I come from Wisconsin, where Learnfare originated, and I am in favor of it. But what we must be certain of is that we do not have 50 different Learnfares. What we want to do is give HHS an opportunity to review Learnfare proposals, if necessary on an expedited basis, but be certain all of them are constructive and humane. That is all we are attempting to do here.

We want to refer this back to the Finance Committee where it belongs, to have hearings, so when we finish up with the Learnfare concept, it is humane, constructive, and gives the Government an opportunity to oversee in a very general way the expenditure of our AFDC funds.

So I think it is in our best interest not to turn down Learnfare because we are not interested in turning down Learnfare but simply to refer it to the Finance Committee for the proper kind of oversight hearings before we adopt a Learnfare proposal to apply to our entire country.

The PRESIDING OFFICER. The time of the Senator has expired. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I ask unanimous consent that Senator BOND be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NICKLES. Mr. President, I yield such time as is necessary to the Senator from Wisconsin.

Mr. KASTEN. I thank the Senator. Mr. President, let me point out quickly, this amendment is not mandatory. It does not mean we are establishing a Learnfare program all across the country. What it says is we are going to allow Governors and State legislatures the flexibility. It was a Democratic State Senate, a Democratic assembly, and a Republican Governor in the State of Wisconsin that came together to pass this program, and then it took between 5 and 16 or 18 months for the Federal bureaucracy to, in effect, endorse Wisconsin's programs.

Quick statistics in Wisconsin will tell you how it has worked. In January of 1990, 9 percent of welfare families were sanctioned under Learnfare. As of December, 2.1 percent were sanctioned. We are making progress in Wisconsin. The fact is we have 97.9 percent of families now attending school. We are making progress. It turns out that this works. This is an incentive, but we are not saying to anyone they have to do what Wisconsin has done. What we are saying is we will give Republican Governors, Democratic Governors, Republican State legislators, and Democratic State legislators the opportunity. All we are seeking is to cut the bureaucratic red tape, give State legislatures and Governors the opportunity to move forward on these kinds of reforms.

Mr. DURENBERGER. Mr. President, I rise to oppose the Learnfare amendment offered by my good friend, the distinguished Senator from Oklahoma.

I do so reluctantly, Mr. President, because I agree with the intent of the authors of this amendment—that children in AFDC families should be encouraged to stay in school and earn a high school diploma.

Numerous studies, over many years, have shown the importance of education to gaining financial independence.

And, breaking the cycle of dependence on welfare will require an increased emphasis on education and on job skill development.

That is why I was proud to join with my distinguished colleague from New York, Senator MOYNIHAN, in authoring the Family Support Act of 1988.

But, we also have much to learn from oversight of the work and education incentive provisions of that legislation.

I am personally looking forward to actively participating in the hearings on these issues that the chairman of the Finance Committee has promised the authors of the amendment now before us.

Mr. President, I believe that changes of this significance should not come without careful study—study of both the experience in Wisconsin under that State's Learnfare Program and the experience we have had with other work and education incentives under the 1988 welfare reform legislation.

One reality we should have learned by now is that simply forcing young people to attend school does not guarantee that they will gain a good education.

And, we must also get beyond the mentality that suggests that all of society's problems—drugs, alcohol, dysfunctional families, AIDS—must be dumped on teachers and dumped on schools.

These are the community's problems, Mr. President, and I for one believe it is well past the time that the community should begin assuming responsibility for dealing with them.

Just 2 weeks ago, I had the opportunity to visit the New Vistas School in Minneapolis that is drawing on a wide range of community resources to do just that.

New Vistas is a Minneapolis Public School located in facilities made available by Honeywell, Inc., in its corporate headquarters. New Vistas is a school for pregnant teens and for teen mothers. The students in this school are expected to fulfill all the requirements of other students in Minneapolis high schools.

But, the New Vistas School is based on the assumption that society has many different responsibilities in helping these young students complete their education.

That is why this school is considered an integral part of Success by Six, a communitywide school readiness program initiated several years ago by the United Way, under the leadership of Honeywell CEO Jim Renier and many other business and community leaders in Minneapolis.

That is why health services are available in this school provided, not by the Minneapolis Public School System, but by nearby Children's Medical Center and by the Minneapolis Public Health Department.

And, that is why numerous other health, nutrition, transportation,

counseling, and other social services are made available to these students from a wide variety of community resources.

Perhaps not every school can make available such a wide range of services beyond traditional education services, Mr. President.

But, without that kind of community acceptance of responsibility for dealing with the myriad of issues and problems many young people and their families face, I seriously doubt that simply requiring children in AFDC families to attend school will accomplish the very important aims of the amendment we have before us today.

Nevertheless, Mr. President, I believe the authors of this amendment have raised issues and a dilemma that we can no longer afford to ignore.

That is why I am so pleased that the chairman of the Finance Committee has promised to provide a proper forum for beginning the job we all know needs to be done.

I look forward to playing an active part in the hearing and oversight process that the distinguished chairman has promised us.

But, until we have both a proper context and better information on which we can base our judgment on such an important issue, I must oppose the amendment we now have before us.

Thank you, Mr. President. I yield the floor.

Mr. HATFIELD. Mr. President, I rise to commend my colleagues from Oklahoma and Wisconsin for bringing the issue of Learnfare before the Senate. I believe that linking welfare programs to school attendance may well be meritorious and I look forward to following the results of the three States—Wisconsin, Ohio, and Florida—who are currently experimenting with this concept. While my own State of Oregon does not have plans to implement Learnfare at this time, officials in my State will also be watching the results of these initiatives with great interest. Furthermore, it is my understanding that the Department of Health and Human Services will soon release a report on Learnfare initiatives. This data promises to help us at the Federal level carefully evaluate the effectiveness of this concept.

While I believe this concept has merit, I am casting my vote to table this amendment today primarily because the data is not yet in on the experiments in Learnfare being conducted across this country. It is my understanding that members of the Finance Committee have committed to holding hearings on this issue once the results are known from each of these projects. Further examination is necessary before we encourage States to conduct these experiments across the board.

I am a strong supporter of federalism and the notion of States serving as lab-

oratories for new ideas and approaches. Many of our greatest programs, such as Medicaid, Medicare, and Social Security were first initiated by States which identified a problem and set out to find a solution. As we all know, several of these trial balloons have now become major Federal programs.

The goal of our welfare system, Mr. President, must be to expand educational and economic opportunities as well as to meet the immediate needs of individuals and families. Of course, any program of assistance to those in need must be structured to encourage its recipient to be productive, creative, and responsible members of our society. It may turn out that Learnfare programs will encourage greater responsibility in AFDC recipients, however, the data is not yet in. Let us gather the evidence before we act. When the lives of children and families are at stake, we have no greater obligation.

Mr. SANFORD. Mr. President, I rise today to voice my support for the Bentsen motion to table the Nickles-Kasten amendment. By supporting the motion to table, I do not mean in any way to imply that I am opposed to the goals of Learnfare. I worry that the supporters of the Nickles-Kasten amendment will attempt to portray the opponents of the amendment as "opposed to welfare reform," or "opposed to school attendance," or some other such nonsense. But such is simply not the case: We all know the value of obtaining a solid education, we all know school attendance is important, and we all know that our welfare system can stand improvement in numerous ways.

I understand the motivation behind the Nickles-Kasten amendment. I wholeheartedly endorse the goal of promoting educational attainment for all our children, which, on the surface, this amendment seems to do. Upon closer look, however, I have to conclude that this amendment is not the right way to promote that worthy goal. It is important to keep in mind that the law already permits any State to enact Learnfare. In fact, the Family Support Act of 1988 gave wide latitude to States to enact changes in their welfare systems, making them more incentive-driven, and I think that is highly commendable. So the Nickles-Kasten amendment does not permit Learnfare—that has been allowed since 1988—but rather the amendment would allow any State to implement a Learnfare program without going through an approval process with the Department of Health and Human Services. There is much evidence, however, to suggest that this approval process is beneficial. When the State of Wisconsin came up with the idea to implement Learnfare, they began working with the Department of Health and Human Services to obtain the waiver they needed. As State officials dis-



cussed their plan with the Department, they greatly improved their Learnfare plan over the original proposal. The new plan tied the Learnfare Program with case management, so that if, let's say, a fourth grader was repeatedly missing school, instead of just summarily cutting AFDC benefits to that child's family, a case worker would try to discover why that child was missing school: Did she have a health problem? Was she in an abusive home environment? Had some family crisis arisen? Then the caseworker could try to alleviate the problematic situation. Without the requirement of obtaining a waiver, this critically important social service component would have been left out of the Wisconsin plan. Furthermore, the Department of Health and Human Services required an evaluation of the plan, so we will be able to see how effective it has been and also what negative effects it may have had. This evaluation requirement is important, and we should not undermine it, but unfortunately the Nickles-Kasten amendment would do so.

The goal of a waiver requirement is not to burden States with additional paperwork or redtape. The goal of the waiver process is to make sure that changes in a State's welfare system are not harmful to children or solely punitive without offering any meaningful improvements. In addition, when granting waivers, Federal administrators seek to ensure that State plans are legally, properly, and fairly implemented and evaluated. For these very important reasons, the waiver requirement should remain in place. As I have already stated, we should remember that a waiver requirement in no way prevents a State from undertaking a welfare reform program. The Family Support Act emphatically encourages States to reform the system. But that does not mean reform efforts should run amok or uncontrolled. If it now takes too long to have a waiver for welfare reform approved by the Department of HHS, we should encourage the Department to speed and improve their administrative procedures, but we need not do away altogether with their important role.

I have another concern about the Nickles-Kasten amendment; because it eliminates the waiver requirement for Learnfare programs but for no other welfare reform efforts, it provides a strong incentive for all the States to adopt Learnfare instead of some other improvement plan. Our 50 States would no longer be laboratories of innovation, with various States developing many different reform efforts. These State experiments give us the opportunity to evaluate alternative plans, so we learn much more about what works and what does not work. I voted to send this amendment to the Finance Committee to propose ways to encourage the creative efforts of so many talented peo-

ple across the country. We do not want to drive all States to implement the same reform plan, but I am afraid the Nickles-Kasten amendment inadvertently would do this.

While offering all encouragement to States to develop their own welfare reform plans and to promote educational achievement for their at-risk students, I must join with Senator BENTSEN in asking that the Nickles-Kasten amendment be tabled.

The PRESIDING OFFICER. The time of the Senator has expired. All time on this amendment has expired. Under the previous order, the Senator from Texas [Mr. BENTSEN] is recognized to make a motion to table.

Mr. BENTSEN. Mr. President, I move to table the Nickles-Kasten amendment.

The PRESIDING OFFICER. There is a motion to table. The question is on agreeing to the motion.

Mr. NICKLES. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table amendment No. 1479. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Iowa [Mr. HARKIN] and the Senator from Nebraska [Mr. KERREY] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 43, as follows:

[Rollcall Vote No. 7 Leg.]

YEAS—55

Adams	Exon	Mitchell
Akaka	Ford	Moynihan
Baucus	Glenn	Packwood
Bentsen	Gore	Pell
Biden	Graham	Pryor
Bingaman	Hatfield	Riegle
Bradley	Heflin	Robb
Breaux	Hollings	Rockefeller
Bryan	Inouye	Sanford
Burdick	Jeffords	Sarbanes
Byrd	Johnston	Sasser
Chafee	Kennedy	Shelby
Conrad	Kerry	Simon
Cranston	Kohl	Specter
Daschle	Lautenberg	Wellstone
DeConcini	Leahy	Wirth
Dixon	Levin	Wofford
Dodd	Metzenbaum	
Durenberger	Mikulski	

NAYS—43

Bond	Fowler	McCain
Boren	Garn	McConnell
Brown	Gorton	Murkowski
Bumpers	Gramm	Nickles
Burns	Grassley	Nunn
Coats	Hatch	Pressler
Cochran	Helms	Reid
Cohen	Kassebaum	Roth
Craig	Kasten	Rudman
D'Amato	Lieberman	Seymour
Danforth	Lott	Simpson
Dole	Lugar	
Domenici	Mack	

Smith  
Stevens

Symms  
Thurmond

Wallop  
Warner

NOT VOTING—2

Harkin

Kerrey

So the motion to lay on the table the amendment (No. 1479) was agreed to.

Mr. KENNEDY. I move to reconsider the vote.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KENNEDY. Mr. President, may we have order.

The PRESIDING OFFICER. The Senate will be in order.

The Chair will state to the Senator from Massachusetts there is a prior order pending at this time which the Chair will now state:

AMENDMENT NO. 1490

Under the previous order, the Senator from New Mexico [Mr. DOMENICI] is recognized to make a point of order against the Wirth amendment No. 1490. Then the Senator from Colorado [Mr. WIRTH] is recognized to make a motion to waive the Budget Act. Under the previous order, the time on the Wirth motion is limited to 2 hours equally divided and controlled by the Senator from Colorado [Mr. WIRTH] and the Senator from New Mexico [Mr. DOMENICI].

At this point the Chair recognizes the Senator from New Mexico [Mr. DOMENICI] for the purposes of making a point of order.

Mr. DOMENICI. Mr. President, I thank the Chair.

The Budget Act provides a point of order against consideration of legislation dealing with any matter, and I underline and concentrate on those two words, "any matter," which is within the jurisdiction of the Budget Committee unless the Budget Committee reports the measure. This point of order keeps the Senate from attempting to address the budget in a piecemeal fashion or to pick apart the Budget Act. That is precisely what the Wirth amendment attempts to do, and it is clearly within the jurisdiction of the Budget Committee.

This amendment is not just a matter of the Nation's children—

The PRESIDING OFFICER. I state to the Senator that the point of order is not debatable. Under the previous order, the Chair will go to the Senator from Colorado for his motion, which is then debatable, and the time will be divided accordingly.

The Senator from Colorado.

Mr. DOMENICI. Mr. President, I have not made the point of order yet.

The PRESIDING OFFICER. I was wondering—

Mr. DOMENICI. I ask that you charge those brief introductory remarks to my hour.

Pursuant to section 306 of the Budget Act, I raise a point of order against the Wirth amendment No. 1490.

The PRESIDING OFFICER. A point of order has been raised against the amendment of the Senator from Colorado.

Mr. WIRTH. Mr. President, I move to waive the Budget Act for the consideration of amendment No. 1490.

The PRESIDING OFFICER. Under the previous order, the time for debate on the motion to waive the Budget Act has been equally divided into 2 hours, controlled by the Senator from Colorado [Mr. WIRTH] and the Senator from New Mexico [Mr. DOMENICI].

At this point, the Chair recognizes the Senator from Colorado.

Mr. WIRTH. Mr. President, the sense-of-the-Senate resolution in front of the Senate today is a very simple resolution. Let me read the enabling language of the sense-of-the-Senate resolution:

It is the sense of the Senate that legislation should be enacted that realigns the 1990 budget agreement to reflect the two priorities of the American people. By shifting unnecessary military spending into domestic programs, including early childhood development, education, and job training, to promote the Nation's long-term economic growth and social well-being.

The word of great note in that is "including."

Mr. President, everybody in the U.S. Senate has talked about the fact that the cold war is over. Everybody here has talked about the fact that we as a Nation, as the world has changed, must work to change ourselves. I am sure that all 100 Members of the U.S. Senate have given speeches and talked to constituent groups about the need for investing in our own backyard, about the need for investing in education, in research and development, in plant and equipment, and increasing the productive capacity of this country. Every one of us has talked about investments in the future and the need for change. That is what this sense-of-the-Senate resolution is all about.

It says, "domestic programs including"—this is obviously not limited, as some have suggested, to one set of programs or another. It simply says that one of our priorities is obviously education. Presumably, the President is going to speak tonight in his State of the Union Address about the Head Start Program. Every one of us has spoken about that, in which only one child in four who is eligible is enrolled. Everybody, I believe, has said that we ought to enroll those other three out of four. That is the best investment we can make.

I bet everybody on the Senate floor has talked about investments in early childhood health, prenatal care, and immunization programs for children, early literacy, parent involvement programs. And everybody here, I am also sure has talked about the problem of access to higher education and the need to assure that everybody can go on to our flagship universities, regard-

less of social class or wealth; that higher education should not be the purview of the privileged few; that we should have a fluid society, and education and opportunity are the ladder of change in this country.

Education is the core ingredient to creating opportunity. I have heard it said over and over again.

This resolution started as a very simple idea in the discussions early last fall on S. 2, the bill in front of the Senate right now, a bill which deals with reform and change in American education.

Senator WELLSTONE and I sat through a number of those discussions. I am not on the Education Committee. Senator WELLSTONE is, but we sat and talked at great length about the need for change and how we are really going to foster that sort of change.

Obviously we want to see changes in schools. Obviously, we would like to see change in the support of education. And we also thought to ourselves, wait a minute, we cannot do any of these things, unless the walls in the budget agreement of 1990 are changed.

We have a cap on domestic expenditures, and we have a cap on defense expenditures. These limits were created prior to the fairly dramatic changes in the world.

Now everybody, I think, knows that it is time for a change. So, Senator WELLSTONE and I sat down with the help of Senators KENNEDY, SIMON, ADAMS, and others, and said, let us devise something that starts to make a statement about the need for this change in our spending and our priorities. Out of that came the Wirth-Wellstone amendment.

We were prepared to offer this amendment last fall, Mr. President, at the time when we thought the legislation was first going to come to the floor in the waning days of the 1st session. We then broke and went over a holiday break for Christmas and New Year's and came back here to begin work on the education bill. The sense-of-the-Senate resolution was part of the unanimous-consent request agreed to last week and part of the unanimous-consent request agreed to last night.

Prior to today, there was no discussion or opposition. We thought that this was just a simple man's apple pie sort of resolution. We have all talked about investment in education and about the future, and we all know that defense spending is going to decrease.

I suspect that we all also know that the President is probably going to talk about that tonight, that we have to invest more in education, which we cannot do without changing the Budget Act or raising the deficit—something nobody wants to do. It is pretty simple arithmetic.

Well, now suddenly this has become a point of enormous contention. Why? I

do not quite understand that. I would like to assure our colleagues on the other side that this was not intended in any way, shape, or form, to come up today before tonight's State of the Union Address. It was not intended in any way, shape, or form, as suggested by some, to embarrass the administration, to embarrass the President, to embarrass the Republicans, not by any means. We thought everybody would be in support of this, and this was to have happened last fall.

Now it got scheduled by unanimous consent last week, agreed to again last night, to occur this afternoon. So everybody knew this was happening. This was scarcely any kind dark-of-the-night maneuver.

Our intent is clearly to have the Senate go on record as every Senator, I suspect, has discussed, in saying that we ought to invest in education, that we ought to be investing in children of the future. Everybody has said that. And that unnecessary defense spending is going to get cut. We all know that is the case. The President will talk about that tonight. And that among the funds that are going to be made available when unnecessary defense spending is cut, those are going to go into programs such as education. I am also sure some of this will go into deficit reduction.

We are going to have a major tax bill and economic stimulus bill. We will have a lot of discussion on a public works program. There are going to be a significant number of demands on these funds. That will be part of the national debate in what this Congress addresses over the coming months.

Our statement was simply that included in these ought to be investments in education, and obviously some of us would like to place that at top of the list. That is my first priority. Others are going to have other priorities, and that is what this body is all about, to decide what their priorities are going to be.

So, Mr. President, this is a very simple resolution. It is a sense-of-the-Senate resolution, and there are no numbers in it. It does not say that nothing else can be funded except education. It says this includes education. A sense-of-the-Senate resolution, which says we ought to be moving funds from defense spending into education. I believe that, and I think probably most of us talked about that, and I am sure the country believes that is the case. That is one of the priorities we ought to have.

It is a very simple sense-of-the-Senate resolution. We need 60 votes, because anything that relates to the Budget Act that is not brought up in legislation reported by the Budget Committee requires a waiver of the Budget Act, and that, I gather, as the Senator from New Mexico has raised the point of order that unless we have



60 votes, we cannot even pass this very simple sense-of-the-Senate resolution. I hope that we will get agreement and everybody will agree to this basic and simple amendment.

So, Mr. President, having explained that, I have further comments, but I know a number of people would like to speak on this particular piece of legislation, and I will give up the floor to the Senator from New Mexico who, I know, has a statement he would like to make, and then I will yield to the Senator from Minnesota.

The PRESIDING OFFICER (Mr. GRAHAM). The Senator from New Mexico.

Mr. DOMENICI. Mr. President, let me attempt to be as brief as I can. I have word now that about four or five Senators want to speak to this issue, and I want to make sure I leave time for them. I yield myself 6 minutes at this point, Mr. President.

Mr. President, this morning, although I was not present, the distinguished majority leader rose to talk about what he thought the United States ought to be doing over the next 3, 4, or 5 years. My recollection is that he said, as part of an economic growth package, we should have such things as long-term investment in research, high-speed rail technology, spending on infrastructure, tax cuts for middle-income Americans, and a package to help State and local governments through grants.

Mr. President, nothing highlights the fallacy of the Wirth resolution more than the words of the distinguished majority leader. The Wirth-Wellstone resolution decides what ought to be done for America, and leaves out all of the things mentioned by the leader.

What we ought to do, if we want to have a resolution of the type offered by Senator WIRTH, is we ought to pass around a piece of paper for 2 or 3 days to all Members of this body and ask Senators, one at a time: What is it you think we should do with any savings from a defense build-down? I know my friend from Missouri is going to question if there is any money available when we are bankrupt by our public debt. Based on the Wirth resolution, we are just going to spend more borrowed money, as I understand it.

I believe we ought to ask Senators to sign up for what they really think is important in terms of national spending. And then we ought to put a resolution on an education bill saying this is how we spend the money.

After each Senator has had his or her way, we ought to run the resolution right through here.

Well, as far as the Senator from New Mexico is concerned, it seems that the Wirth-Wellstone resolution is an effort by two Senators, both of whom I have great respect for, to sit down and write a very lengthy resolution covering everything about children and education that one could imagine. This resolution

includes changing two of the current discretionary grant programs into entitlement programs. Senators WIRTH and WELLSTONE produced a masterpiece of ideas of activities that they want accomplished, and they then stand up and say it really is not anything big. They suggest we should not have anybody down here arguing about the resolution because it really means nothing. They claim it is just a little old thing.

Well, Mr. President, I believe it is more than just a nothing resolution. I think when we have these kind of resolutions we ought to come down here and talk about them and make sure that everybody understands what they are voting for. Make no mistake about it, if you vote for this resolution, you have decided that the peace dividend, however large or small, is going to be spent exactly the way the two Senators who proposed the resolution want it spent. Perhaps there are three or four other Senators that, in a casual or more formal way, joined around a table to write up this agenda, an agenda directing how to spend any defense savings over the next 5 years.

Frankly, I really do not think this is the way to do business. I do not think this is the way to tell one group of Americans, in our home State or elsewhere, about all of the good things we are doing here in Congress for children. As a matter of fact, this resolution is not a binding resolution. Nonetheless, my colleagues want credit for what it alleges to do for children on the one hand, and on the other hand they do not want anyone to challenge the resolution because it is, really, nonbinding. Well, I challenge it today.

I do not think this is the way we ought to do things. I do not think we ought to speculate on where the defense savings, if any, ought to go during debate on an education bill. Today, the President is going to tell us his priorities for the next year or two. The President's plan is being revealed long before the time when many Democrats, including the leadership of the Democrats in the Senate, have put finishing touches on their recovery plan. And I assume they have one.

I would doubt seriously, if something is put together with both short-term and long-term objectives for our Nation, that all of the defense savings are going to go to the specific programs mentioned in the Wirth amendment. And I will start calling the Democratic plan for defense cuts the \$100 billion cut because I understand that is what the distinguished majority leader advocates, a \$100 billion reduction in defense. It would be interesting to know how we are going to get that accomplished.

But spending this \$100 billion, according to this resolution, is to be accomplished according to the way and whim and wish and desire of a few Senators who put this resolution on this education bill before us today.

Having said that, I will, before we finish, challenge seriously some statements made about how much children's programs in the United States have suffered in the last 3 or 4 years. I must be looking at a completely different set of numbers. I find nothing that shows children's programs have increased by 5 percent. I can tick off five or six that went up 35 and 40 percent. I can list new children's programs that did not even exist 2 years ago that are now funded at half a billion dollars.

That is not to say that the Senator from New Mexico is arguing here on the floor that we should not do more for children in our budget.

Having said that, I would like to have either Senator KASSEBAUM, who wants to raise an issue on part of this resolution, or Senator DANFORTH, engage in some discourse on the subject.

I yield the floor and will wrap up my thoughts when my colleagues have finished with their views.

Mr. DANFORTH addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. DANFORTH. Mr. President, I would like, with the indulgence of the Senator from New Mexico, to engage him in a discussion at this point because I have very great respect for Senator DOMENICI. He is the ranking member of the Budget Committee. He has served on the Budget Committee for many years. He served as chairman of the committee for I think 6 years. And if anybody understands the budget process, he does.

I was drafted onto that committee for a short period of time and rushed for the exit. I have never pretended to understand the process, certainly not to the extent that Senator DOMENICI understands it. So I really need some help here.

Mr. President, the debate is: How are we going to spend the peace dividend? We all know that this wonderful revenue stream is going to be coming our way, and now is the time for us to make the big decisions on the floor of the Senate on how to spend it.

Senator DOMENICI says, "Well, maybe it is premature to start cutting up the pie. Education, children's issues, maybe should be considered, but there might be other concerns for how to spend the peace dividend. So let us reserve judgment on how we spend this wonderful fund that is coming our way."

My question—and I apologize for my ignorance in even asking it—but my question is: What peace dividend? What fund of money? Where is this thing that is coming our way?

And the basis of my question is this: From everything I have read, trying to ascertain what the various candidates are saying up in New Hampshire, the most far out, let us say generous version, of the peace dividend is that we should cut defense spending by 50 percent—50.

Right now, we are spending, roughly, I think, \$300 billion on national defense. So if you assume the most draconian cut of national defense, 50 percent—more than the majority leader is suggesting—that is \$150 billion a year cut in defense spending.

According to the Congressional Budget Office, in a report issued this month, report to Congress, the Federal Government's spending in 1992—Federal Government spending—on Medicaid and Medicare combined is \$196 billion this year. By 1997, the Federal Government will be spending in constant dollars on Medicare and Medicaid \$344 billion. That is an increase in constant dollars of \$148 billion in a 5-year period of time on Medicare and Medicaid alone.

Mr. President, I might say that these numbers—\$148 billion increase in Medicare and Medicaid—are without any consideration of any health care legislation that we might pass. And that is the big issue. I mean, people are getting elected to the U.S. Senate saying we need to do more on health care. Bills are being reported out of committees saying we are not doing nearly enough in health care; we must do more. We must expand what we are doing in health care. But if we do nothing, nothing, nothing in health care, the cost to the Federal Government alone in Medicare and Medicaid alone increases over 5 years by \$148 billion.

My question to the ranking member of the Budget Committee is simply this: Please explain to me where the pot of money is. Where is it the peace dividend? It would seem to me that if the most we are going to cut military spending is \$150 billion a year and if health care costs to the Government alone are going up by \$148 billion a year, the very most we can have by way of a peace dividend is \$2 billion.

Have I missed something?

Mr. DOMENICI. This is all charged to the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Let me say that other than my colleague saying these numbers were per year—and they are for 5 years—he has not missed a thing.

We have a tendency here in the Senate and the Congress to talk about what happens to the fiscal policy of our Nation as if there were just two categories: defense and everything else. Often, some assume that savings in defense are really savings that we can spend somewhere else ignoring other parts of the budget. We ignore that perhaps spending on Medicare and Medicaid is going up more than the entire savings assumed from defense. We just discount increases to health costs and say that health is an entitlement. And, so, increased spending on health does not count.

Let me assure the Senator, if he is worried about getting the Federal defi-

cit under control, spending on health care counts. Every single penny counts just as the burden we put on the shoulders of the American people with our enormous deficit counts.

What we will do, if we dedicate every bit of defense spending to spending on other programs is ignore the deficit and its burden. We will also have committed ourselves to never getting the deficit under control unless—and I will give you a couple of “unlesses”—we pursue other options.

For instance, if you want, in a couple of years, you can tax the American people across the board 20 percent, raise everything 20 percent. With this option, you might get the budget under control. You might.

If you do not have other options, you will have a deficit of between \$200 and \$325 billion just rocking along. This deficit will add to America's inability to save. This deficit will add to an inability to compete globally because American companies, large and small, do not have capital available to compete. And we will just add to the deficit, ridding ourselves of all sense of responsibility, as I see it.

Let me also suggest to my colleague that perhaps \$150 billion is draconian. Nobody is seriously suggesting \$150 billion. There are some suggesting \$100 billion, some suggesting \$90 billion, and I must admit there are some saying we can achieve \$135 billion in defense cuts.

So I think the answer to the Senator's question is quite obvious: There really is no peace dividend. If you look at the effect of the automatic growth in entitlement programs, programs that are growing on their own, such as health, any defense savings will be eaten and gobbled up faster than you can see.

Mr. DANFORTH. Mr. President, I might just add to what the Senator from New Mexico has said. I am a politician. I like to make people happy. And I think there is a tried and true way to make people happy, and that is to say: We are going to give you some more money. We are going to be spending more money; does that not make you happy? And if we spend enough, may we please have your vote?

So, I think that is just excellent politicking, and I hate to be the kind of person who puts a damper on this and who says there is not any money.

It is my understanding that this year, Medicare and Medicaid is \$196 billion. And in 1997, with no program changes, it is \$344 billion. That is a \$148 billion increase.

If that is true, no conceivable peace dividend equals that.

It seems to me, maybe we should give some thought to the cost of health care in this country. Maybe we should give just a little bit of thought to the increased cost of health care to the country as a whole, and to the increased cost of health care to the Federal Gov-

ernment—what the bill is going to be, before we start spending this wonderful revenue flow that is going to be coming our way.

I know the former Senator from Minnesota, Senator Humphrey, called it the politics of joy. And it is, it is joyous—joyous—to tell people that we have wonderful ideas of how we are going to have huge increases in Government spending.

I do not want to be the person who is dampening this joy. But it seems to me that maybe the question should be raised, Where is this peace dividend? The Senator from Missouri does not see it.

I thank the Senator from New Mexico.

Mr. DOMENICI. Mr. President, how much time have I used?

The PRESIDING OFFICER. The Senator from New Mexico has 42 minutes 33 seconds remaining.

Mr. DOMENICI. Mr. President, I want to yield myself 2 minutes, and then we will go back to Senator WIRTH. I have two additional speakers, I might say to the Senator from Colorado.

Mr. President, I want to add to what my good friend from Missouri said about “What peace dividend?” I would just add a thought.

First, I will put in the RECORD an entire list of programs of the Federal Government that I believe are for children, from Head Start to many others. I believe the increases over the decade of the eighties are far more than the 5 percent alleged in the Wirth resolution.

But having made that point, let me suggest to the Senate, nothing—let me repeat nothing—would be better for the children of the United States of America than for us to find a way to rid ourselves of the deficit, when we rid ourselves of the deficit, the American economy can grow and prosper at sustained rates. Our standard of living will increase from generation to generation, as was the case in the early days of our industrialization. Nothing could be better for children, than us reducing the deficit and our debt. Nothing is more important to our Nation's children than getting the deficit under control.

As the Senator from Missouri points out, you will never get the deficit under control if you allocate the entire peace dividend to more spending, and then turn other programs into uncontrollable entitlements. As has been suggested by the resolution by Senators WIRTH and WELLSTONE.

I just believe children will be better off if we do not spend more. They will be better off if we fix the economy by fixing the deficit.

I ask unanimous consent that a table displaying funding increases for children be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:



FEDERAL FUNDING OF CHILDREN'S PROGRAMS—CHANGE  
FROM 1980 TO 1990  
(Nominal dollars in millions)

	1980	1990	Change	
			Dollars	Percent
<b>Health:</b>				
Medicaid .....	2,910	8,200	5,290	181.8
Maternal and child health .....	424	554	130	30.7
Community/migrant health .....	298	506	208	69.8
Homeless health care .....	0	36	36	N/A
Immunizations .....	0	187	187	N/A
Subtotal, health .....	3,632	9,483	5,851	161.1
<b>Cash:</b>				
AFDC .....	6,924	12,246	5,322	76.9
Supplemental security income .....	5,716	11,493	5,777	101.1
Earned income tax credit .....	1,275	4,354	3,079	241.5
Refugee assistance .....	383	558	175	45.7
Foster care/ad asst .....	263	1,579	1,316	500.4
Subtotal, cash .....	14,561	30,230	15,669	107.6
<b>Food:</b>				
Food stamps .....	9,117	14,992	5,875	64.4
Child nutrition .....	3,536	4,996	1,460	41.3
WIC and CSFP .....	717	2,196	1,479	206.3
TEFAP .....	0	169	169	N/A
Subtotal, food .....	13,370	22,353	8,983	67.2
<b>Housing:</b>				
Public Housing Op Subs .....	1,070	1,805	735	68.7
Housing payments .....	5,746	7,299	1,553	27.0
Emergency shelter grants .....	0	47	47	N/A
Supportive housing .....	0	58	58	N/A
Subtotal, housing .....	6,816	9,209	2,393	35.1
<b>Ed/social services:</b>				
Head Start .....	736	1,447	711	96.6
Follow Through .....	44	7	(37)	-84.1
Chapter One .....	3,197	5,368	2,171	67.9
Handicapped Education .....	1,049	2,055	1,006	95.9
Math and Science Grants .....	0	159	159	N/A
Drug Free Schools .....	0	539	539	N/A
Education of Homeless .....	0	7	7	N/A
Dropout Prevention .....	0	20	20	N/A
HDCS/Children, Youth, Families .....	57	424	367	643.9
Vocational Ed .....	979	950	(29)	-3.0
WIN .....	396	5	(391)	-98.7
Youth Training/Job Corps .....	2,330	1,484	(846)	-36.3
CETA .....	3,342	0	(3,342)	-100.0
JTPA .....	0	1,745	1,745	N/A
Title XX SSBG .....	2,635	2,776	141	5.0
Community Services .....	493	389	(104)	-21.1
Emer. Food and Shelter .....	0	132	132	N/A
LIHEAP .....	1,577	1,314	(263)	-16.7
Weatherization .....	182	162	(20)	-11.0
Child Care Block Grant .....	0	772	772	N/A
Subtotal, Ed/soc ser .....	17,017	19,745	2,728	16.0
<b>Subtotals:</b>				
Health programs .....	3,632	9,483	5,851	161.1
Cash assistance .....	14,561	30,230	15,669	107.6
Food .....	13,370	22,353	8,983	67.2
Housing .....	6,816	9,209	2,393	35.1
Ed/social services .....	17,017	19,745	2,728	16.0
<b>Total, children .....</b>	<b>55,396</b>	<b>91,020</b>	<b>35,624</b>	<b>64.3</b>

Prepared by SBC Minority Staff 1-26-92.

Mr. WIRTH. Mr. President, I yield myself 1 minute, and then I will yield to the Senator from Minnesota.

Mr. President, this is not about robbing Peter to pay Paul in an attempt to get Paul's vote. That is a very superficial, it seems to me—very superficial—discussion of what is a fundamental request and plea for change. Some of us have for a long time believed that our national defense should be described in terms very different from building more missiles and more tanks designed for an enemy which really no longer exists. It is important to have a strong defense, but not one that is gold-plated; not one of excess as has happened in the past.

The American public is now saying: Let us not even get into that debate. Let us just make some significant changes. They know they have to be

made. One of those sets of changes has to be the investment in young people, in the future. Another set of those changes has to be the control of health care costs, which I think many of us have been advocating, a dramatic and quite almost radical change in our health care system, for the purposes of getting costs under control and getting more reasonable coverage for all people of this Nation.

That is what the American public is asking. This is not robbing Peter to pay Paul. This is, are we going to be willing to start now with the sort of change I believe we are expected to make and are elected to make? We have an obligation to the American people to come out to them and say we are here to make those changes, and not go along with business as usual; or go along with assumptions as usual.

Mr. President, I yield 12 minutes to the distinguished Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I thank the Senator from Colorado.

I was listening to the comments of the distinguished Senator from New Mexico, as well as the distinguished Senator from Missouri. And as I listened to what they were saying, I felt that the critique that they were presenting was a very important critique. Except the problem was they were critiquing an amendment which does not exist.

This is the age-old debate tactic of lifting up a straw man or straw woman and then tearing it down.

Let me just be very clear about what this amendment says and what it does not say. It says:

Legislation should be enacted that realigns the 1990 budget agreement to reflect the true priorities of the American people by shifting unnecessary—

It contains no specific figure. It continues:

military spending into domestic programs, including child development, education, and job training, to promote the Nation's long-term economic growth and social well-being.

That is not an exclusive list. There is nothing in this amendment that says that when we decide to bring the budget wall down, and how we are going to transfer resources, that all those resources have to go to children or education. It does not say that. I would challenge my friends on the other side of the aisle to find any such wording here in this amendment.

The Senator from Missouri raised some interesting questions about health care. Senator KENNEDY is here on the floor and can answer questions about health care. I suppose—in fact, it is more than I suppose—I know we will have a vital debate about health care. That is going to be a crucial issue for our country. But for now, let me get back to what this amendment is about.

We do not say that all money, whatever we eventually decide—this is only a sense-of-the-Senate amendment—all has to go to education. We do not say some of it cannot go to deficit reduction. We do not say that some of it should not go to physical infrastructure. I think it should. There are some who think it should go to tax cuts. We could agree or disagree. None of that is excluded in this amendment.

I will tell my colleagues what this amendment says. It says what I heard almost every single Senator on this floor say over the last several weeks. I have said it before, but I have to say it one more time.

Every politician is for children and education except when it comes to digging into the pockets. All this says is we know we have not done enough; we know the real national security of this country is going to be when we invest in the health, skill, intellect, and character of our young people. We know we have to do much more for education. And we make a commitment to eventually, when we bring down the wall, to making sure that we transfer some resources to our children and education. That is all this amendment says.

Yesterday, I met with Alice Dillon of the PICA Program, Parents In Community Action, of south Minneapolis—a Head Start Program, Senator KENNEDY, for 120 homeless children.

Every one of those children, every one of those boys and girls, you look into their eyes, and each one of them has the potential to go out into this world and make something beautiful happen if we provide them with the support. What Head Start says is that we as a people are going to provide children from the toughest circumstances with just that, Head Start—and we are funding it at a 28-percent level? All this amendment says is that we are going to do better. We can be better. That is all this amendment says.

I read:

In Landsdowne Junior High School, the St. Louis Sun reports, "there are scores of window frames without glass, like sockets without eyes." Hallways in many schools are dark, with light bulbs missing or burnt out. One walks into a school, a member of the city's board of education notes, and you can smell the urinals 100 feet away. A teacher in an elementary school in East St. Louis has only one full-color workbook for her class, one. She photocopies workbook pages for her children, but the copies cannot be made in color and the lessons call for color recognition by the children. A history teacher at the Martin Luther King, school has 110 students in four classes—but only 26 books.

I could go on and on and on.

We know that there are things that work, such as making sure every woman expecting a child has a diet full of vitamins and protein, but we do not fully support that program; or making sure children have a nurturing, sup-

porting environment so by the time they get to kindergarten they have a real chance, but we do not fully support that program. The Head Start Program has been an unambiguous success for almost three decades, and we are funding it at the 28-percent level.

And then there is this question that Senator WIRTH raised about all the young people who finally do graduate from school, although many are doomed to unequal lives right now. What happens with job training? How do they obtain jobs? How do they make the transition to the work force? I hear about that all the time, but we are not funding those programs.

And, finally, Senator WIRTH, Democrats, my friends on the other side of the aisle, how many Senators have I heard talk about the importance of each and every young person having the opportunity to pursue his or her higher education and making sure that young people can afford it?

This amendment just says we can do much better. That is all it says. It is nonbinding. There is no specific figure. It certainly is not just exclusively about education, but it certainly seemed appropriate as a sense-of-the-Senate amendment to an education bill to signal to the people in this country that we know what we have to do and, when that budget wall is eliminated, surely some of the resources will go to the education of our young people.

Mr. President, let me conclude this way. I said it on Friday and I am going to say it again. There is an old Yiddish proverb which says you cannot dance at two weddings at the same time. I think that is what too many Senators have been doing when it comes to children and education. This amendment enables Senators in this Chamber to make it clear to young people, to educators, to parents, and to communities that we know we can do much better and, indeed, we will do that.

Mr. BENTSEN. Mr. President, I would like to ask the Senator from Minnesota whether or not Senator WIRTH's and his amendment implies that military savings should not be used for middle-income tax cuts, deficit reduction, or other purposes?

Mr. WELLSTONE. Mr. President, I will answer the Senator from Texas by stating that the amendment does not address the question of deficit reduction or middle-income tax cuts. However, I assure the Senator that this amendment does not imply that the reduction in defense spending must be used exclusively for education. In particular, it does not imply that the revenue saved from a reduction in defense expenditures may not be used to finance middle-income tax cuts or deficit reduction.

Mr. BENTSEN. Then do I assume correctly that the Senator's amendment does not intend to minimize the merits of a middle-income tax cut and deficit

reduction as means to promote, as it says in the amendment, "the long term economic growth and social well being"?

Mr. WELLSTONE. I will say to my good friend from Texas that his assumption is correct, with respect to the intent of this amendment. We are simply focusing today on the subject of education.

Mr. BENTSEN. I thank my good friend for answering my questions.

The PRESIDING OFFICER. Does the Senator from Minnesota yield the floor?

Mr. WELLSTONE. Mr. President, I do yield the floor.

Mrs. KASSEBAUM. Mr. President, I yield myself 6 minutes.

Mr. President, we all care about education. The reason I believe the question of the Senator from Colorado has become contentious is that it is more than just a simple sense-of-the-Senate resolution. I would like to talk about the specifics of this sense-of-the-Senate resolution. If one is going to vote for this sense-of-the-Senate resolution, they also are going on record as supporting two new entitlement programs, one of them being Head Start. I care deeply about Head Start, but Head Start funding has doubled since President Bush took office in January 1989, going from \$1.235 billion to a proposed 1993 spending of \$2.8 billion for full funding for all 4-year-olds who are eligible for Head Start.

We all support that. But there is a certain amount of absorption that has to come in making Head Start an entitlement, along with an entitlement for the Pell grant, which is a grant for eligible students in higher education. A Pell grant entitlement would immediately take it from about \$5 billion today to \$11 billion. I personally feel strongly, Mr. President, that both of those programs are far better dealt with under the authorization and appropriation process that we have today rather than an automatic entitlement.

I would just like to go through some of the other things that are listed in the sense-of-the-Senate resolution. One of them is an investment in elementary and secondary education to improve educational achievement. Mr. President, I thought that is what we were doing with S. 2. I believe we have spoken to some very innovative programs at a funding level that is going to be almost an additional \$1 billion for elementary and secondary education. With this bill, we are moving the Federal Government in a rather dramatic way into new and innovative programs in elementary and secondary education.

Also listed here is an effort to reduce classroom size and promote equity. None of us could disagree with that, but I think that expressing this in a sense-of-the-Senate resolution does not really do much.

Third, an investment in school-to-work transition initiatives is listed. I think we all agree that is very important. However, we addressed that just last year when we reauthorized the Carl Perkins bill, the vocational technical legislation in which we had tech prep language. Perhaps we did not go as far as some would wish, but I think that we expanded that initiative to a very important degree.

I myself do not wish to make the Pell grant an entitlement. I think we could appropriate to the full amount that has been authorized and expand the Pell Grant Program, but to make it an entitlement, takes it in a direction that we question.

So this is more than just a simple sense-of-the-Senate resolution, Mr. President. I think when we talk about the peace dividend, we should not be designing sense-of-the-Senate resolutions which really do no more than just say we are for education. We are laying out initiatives on this which will be debated at a later point and I think they require very thoughtful debate.

We all are going to be debating health care in the future and the moneys that we are going to need for different initiatives regarding health care.

We are all concerned with the environment, and certainly the Senator from Colorado has been a key leader in environmental issues, with the moneys we would like to see utilized in environmental issues. But I think, Mr. President, it is a serious mistake to view this as just something lightly; to be taken as a vote of our interest in education. It is more than that. I think we do a disservice to the important issues involved in this sense-of-the-Senate resolution to treat it too lightly. And for that reason, Mr. President, I think this should be rejected.

I yield the floor and yield back any additional time I may have.

The PRESIDING OFFICER. Who yields time?

Mrs. KASSEBAUM. I yield back to the Senator from New Mexico any time I have left.

Mr. DOMENICI. The Senator wants to yield whatever time she did not use to the Senator from New Mexico?

Mrs. KASSEBAUM. Yes. I yield that time to the Senator from New Mexico.

Mr. DOMENICI. I thank the Senator.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. WIRTH. I yield to the Senator from Massachusetts such time as he may need.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I commend my friends, the Senator from Colorado [Mr. WIRTH], Senator WELLSTONE, and others for bringing this measure before the Senate this afternoon. I hope very much that their amendment, of which I am a cosponsor, will be supported.



Mr. President, it is appropriate that we have the debate and discussion this afternoon, when the President of the United States will be addressing this Nation about how best to deal with the problems we are facing with our economy and also will be making recommendations with regards to education programs, health programs, and others. We have an opportunity this afternoon to speak to the issue of education. That is really what this amendment is about. It is an opportunity to send a signal about priorities of this body on the issue of education. I believe Senator WIRTH and Senator WELLSTONE have outlined well what is in this amendment and what is not.

It is an important vote. We will have opportunities later in the session to vote on specifics such as the appropriations bills, and budget considerations. But nonetheless, this really is the first opportunity this body has to go on record since we effectively recessed a number of weeks ago.

All of us have had an opportunity during that period of time to go back to our States, to listen to people, to talk to parents, to speak to teachers, school administrators, and superintendents and hear and see for ourselves the very extraordinary challenge that exists for our Nation in trying to assure that we are going to have an educated population. I think the design and scope of this amendment gives emphasis to the school readiness programs, and elementary, secondary education. Sure, we will provide some resources to our 80,000 school districts, but we all recognize we are still talking only of a fraction of those school districts that otherwise may be able, with additional funding, to take advantage of that creativity which we talked about last week.

We know the importance of moving from school to work and of higher education. We know what has happened to higher education. We hear the comment, well, do we really want to go ahead and have an entitlement for higher education. I say yes. We have 68 other entitlement programs. I say yes.

That is not the issue. We talk now about a semi-entitlement in education because it really depends on the appropriation for Pell grants, how much will be appropriated, versus how much is authorized. If funds are available, students have a right to get a loan for their education.

But, Mr. President, let us back up a step. Over the last 25 years that I have been in the Senate, we have expressed our priorities on a variety of different issues that we thought were important. In the last 3 or 4 years we have said OK, we will spend billions of dollars, tens of billions of dollars to save our savings and loans. That is enormously important—threatening our banking system. That is important.

We have seen the expansion of FDIC, billions of dollars, tens of billions of

dollars, to make sure our banking structure is going to continue to be an essential element in terms of our commercial opportunities and strength.

I was here in the 1960's and 1970's when we said we do not have the resources to bail out Lockheed, one of the important manufacturers of airframes and airplanes. But we said that is important, Lockheed is important. It is important to our national security. It is important to our national defense. The vote here was virtually decided by one or two votes, but we voted on that issue. We were not subject at that time to a technicality.

We all understand the technicality of waiving the Budget Act, but I would say that is limited probably to this building. People talk about the relevancy of this institution and the difficulty of identifying with the problems that are facing working families. These issues will be raised this afternoon when due to a technicality to the budget waiver, we may preclude an opportunity for this amendment to be successful, a technicality. We are restricted by those rules.

People across this country want action on the economy, on education, and on health care. This is our first opportunity to express it in a sense-of-the-Senate, understanding, as these Senators do, that we are going to have to go through the budget resolution, and review it in terms of our peace dividend.

It may be difficult for some people to understand where this peace dividend is. Last year we spent \$140 billion of our taxpayers' money to defend Western Europe against the Warsaw Pact. The Warsaw Pact has disappeared. There has to be something there. There has to be some resources there to be invested in America. There is reluctance and resistance to support potential growth in various Medicaid programs, growth which is going to take place in the late 1990's. Nevertheless we are going to have to come to grips with those programs.

Are we going to say we are going to let those grow and eat up all the resources? Of course we are not. What about the billions we spent in Southeast Asia last year? Nothing. There must be billions out there to identify with the education of our young people. This amendment does not say precisely \$10 billion, \$15 billion, but it says that this is going to be a priority. It is going to be an important priority.

We said in the 1970's that we were going to save Lockheed. That it was a priority. We said it with regards to Chrysler. That was a priority too: tens of thousands of workers, an important manufacturer, and automobiles in this country. Let us do that. We said it with regard to New York City. We are going to help in the refinancing of New York City. That was a priority. We said it with regards to Penn Central Railroad.

That is a priority. Look how important that railroad is to Pennsylvania and the Northeast and other parts of the country. All those are priorities.

Now are we going to say children are a priority, education is a priority?

Well, we said OK; Lockheed, and Chrysler, they paid us back. We know that the investment in Head Start Programs, in early education programs, in the WIC Programs, immunization, paid back more times than what was paid in.

We had a priority to go into Kuwait. We differed about the amount of \$55 billion but we were not talking about whether we were going to find that money. We were not talking about Medicaid, at that time, escalations down the line. We said that is a priority, and they are going to do it. The Nation is going to do it. Fortunately we have gotten repaid on some of that investment. We were not debating that issue prior to the time the servicemen went across that border. That was a priority.

We have found the willingness as an institution to say what are our priorities. That is what this amendment is about. This amendment is about that.

It is a recognition that for the last 40 years we have robbed education from the young people, robbed decent health care from our people. A dramatic reduction of the discretionary budget over the last 10 or 15 years, virtually cut in half, to do what? To build security in our national defense.

It has worked. We are saying with the Russians not walking to the door, running to the door, that there must be some savings. And we are saying on the first major legislative proposal that we place a priority in terms of the education of the young. We have been all too willing to do that, Mr. President, at other times in important measures. We have an opportunity to do it this afternoon.

I would hope that our colleagues would be able to express their sense of priorities on investing here at home in America, in children, in those that are attending the early elementary, secondary schools; those that are moving from schools to work; those that are struggling to finance a college education—the sons and daughters of working families, and our graduate students as well. All of our students should be able to at least know that this institution recognizes the importance of that kind of investment for our Nation.

I thank the Chair. I yield the floor.  
The PRESIDING OFFICER. Who yields time? The Senator from New Mexico.

Mr. DOMENICI. How much time do we have?

The PRESIDING OFFICER. The Senator from New Mexico controls 35 minutes 22 seconds, and the other side 31 minutes 56 seconds.

Mr. DOMENICI. Mr. President, I only have one additional speaker. He will arrive shortly. Then I will speak for 3 or 4 minutes. Then if they are ready we will yield back the time. I will save it now and await the Senator from Texas who is arriving shortly.

Mr. WIRTH. I yield 5 minutes to the Senator from Illinois.

Mr. SIMON. Mr. President, I rise in strong support of this. We made a mistake on the budget agreement in agreeing that we would have a 60-percent firewall there on the defense budget side of this—unprecedented.

And if some of you will recall the night that we passed the budget agreement I had an amendment here that was adopted by a voice vote in the Senate saying, let us cut back the 60 percent to a simple majority. Because if we want to shift funds from whatever area into whatever other area, we ought to be able to do that with a simple majority.

This goes beyond that and says we have to make a priority out of education. One of the great deficiencies of this Government, not just to this Government, of our whole system, is that we are doing too much short-term thinking, and not enough long-term thinking.

I recently had the opportunity to read the rough draft of a manuscript that will be out in a few months by Lester Thurow, the distinguished MIT economist. He quotes a Swedish institute that does evaluations of businesses around the world, 28 countries. And in most categories the United States was one of the top 10. In no category as I recall were we No. 1.

But then it came down to long-term planning, and, in long-term planning, corporations in the United States were 27th out of 28. Only Hungary was behind us.

And what is true of corporate America, which is worried about the quarterly report, the annual stockholders meeting, is also true of the public sector. We do far too little long-term planning.

Sunday's New York Times has a story about productivity in the United States and some other countries, comparing growth from the year 1975 to the year 1988. I do not remember all of the figures, but I remember these four. The United States experienced 12 percent productivity growth in those 13 years; Great Britain, 33 percent; France, 34 percent; Japan, 58 percent. You do not have to be a Rhodes scholar to understand that means we are drifting in the wrong direction, and what turns us around is who invests in our people.

Economists do not agree on very much but one thing they do agree on, and that is you are going to compete with the rest of the world either through lower wages or increased skills. Those are our choices. Basically, we have followed a low-wage pattern.

That is why several industrial countries now have higher average per-hour industrial wages than we do in our country.

What we have to do is to invest in our human resources. This suggests that we do so in concrete terms.

All kinds of things could be used as illustrations. The GI bill, and, if the Presiding Officer will forgive me, I think he is old enough to remember when we had the GI bill after World War II. If you take that old GI bill, which was conceived as a gift to veterans, and put an index on it, inflation index, that would average today \$8,100 in a grant regardless of income. We thought of it as a gift to veterans. It turned out to be an investment in our own prosperity.

We ought to be doing much more for those who want to go on to college.

In the area of elementary and secondary schools, of the 18 OECD nations, we are 14th in what we invest. We are great on the bites, on the speeches about education, but in substance we are slipping sadly.

I cheered along with everyone else when the President said it, I think it was a State of the Union Message, when he said, "By the end of this century I want American students to be No. 1 in math and science." The realities, my friend, if we do not change our priorities we will be very lucky to hold on to where we are and not slip further. That is the reality.

We are going to have to look at things that pay off in terms of long-term investments. Education is one of those things. We need everything from Head Start down to, at the beginning, to Adult Start, or Slow Start, or whatever you want to call it, to training people once they are workers.

No nation on the face of the Earth, no industrial nation, spends as little on training and retraining workers once they are in the labor force as we do. We just cannot continue that. We have to do better. And this resolution which is not binding—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SIMON. If I could have 30 more seconds?

Mr. WIRTH. I yield 2 additional minutes.

Mr. SIMON. I will not, believe it or not, use 2 additional minutes.

We have a chance here to adopt a nonbinding resolution that suggests that we ought to make the priority out of education. I think that is the least that we ought to do. I strongly support the resolution.

I yield back the remainder of my time to the supporters of the resolution.

The PRESIDING OFFICER. Who yields time?

Mr. WIRTH. How much time is remaining?

The PRESIDING OFFICER. The Senator from Colorado controls 25 minutes and 16 seconds.

Mr. WIRTH. The Senator from New Mexico?

The PRESIDING OFFICER. The Senator from New Mexico controls 35 minutes and 6 seconds.

Mr. DOMENICI. I yield off mine, as he has.

The PRESIDING OFFICER. The Senator from New Mexico has yielded back to 25 minutes and 8 seconds.

Mr. WIRTH. I yield 6 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, let me, first of all, thank the Senator from Illinois for his remarks. I want to, once again, make a case for what this sense-of-the-Senate amendment is about, and then I want to go back to what I fear is the politics of what is being played out here on the floor, just to be very clear about it.

First of all, when it comes to the "why" of education, I do not think it is possible to divorce education from what we have to do both to have a short-run stimulus to our economy or, for that matter, for long-term productivity.

I said the other day on the floor of the Senate—and I think there is a fair amount of agreement about this, even if maybe later on we do not all agree—that politics has become very concrete in our country, very concrete. These bread-and-butter economic issues have walked into people's homes and are staring them in the face. And there is a tremendous sense of foreboding about the future for our country. And I think the vast majority of people in the United States of America know that at least part of the definition of national strength will be whether or not we can compete economically in this next decade, much less the next century, and that part of the way in which we will be able to compete is if we have a literate, productive, highly educated, highly skilled work force; that is to say, a work force that can provide high-value labor to produce high-value products.

So when Senator WIRTH and I proposed this sense-of-the-Senate amendment, which, once again, only says that when the budget wall comes down, some resources must be devoted to this human capital, does not say that human resources cannot be devoted to a lot of other decisive areas. It just says we have to make some of this shift.

We are talking about whether or not we can compete economically as a nation.

My other point—because it has not been mentioned today, and I believe that Senator KASSEBAUM and I are probably in agreement on this, although we may disagree about how to get there—is that it is absolutely essential—John Dewey said it best of all—to have young people later on be-



coming adult citizens who can think on their own two feet in a democracy. And any society that does not invest in education is a society that is in danger of losing its capacity for self-government.

So, again, I proposed this amendment with Senator WIRTH—and there is a lot of support from other Senators as well—because of my background in education.

I am here on the floor of the Senate. We are about to pass a good education bill. But most of us know it is not near enough. I have heard my colleagues on both sides say that we have to do more, and that is all this sense-of-the-Senate says.

I do not understand what people are so frightened about. I really do not understand what people are so frightened about. If Senator X, Y, Z, O, or whatever, from whatever States, without using names, is on the floor saying that we have to make this kind of commitment, why in the world would anybody vote against a resolution that just says we need to begin to make this kind of commitment?

I also want to emphasize one more time, Mr. President, that in my conversation with the Senator from Texas [Mr. BENTSEN] he raised an important question, and I think an important question for other Senators as well, once again: Is there anything in the sense-of-the-Senate amendment which precludes any money that might be generated from some reductions in the military budget to go into deficit reduction, tax cuts, public infrastructure investment? One more time: Absolutely not.

Let us be clear one more time that this is a sense-of-the-Senate resolution that puts the Senate on record as saying we know we can do better for education and young people. I would think there would be almost unanimous support for such a sense-of-the-Senate amendment.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. WIRTH. I yield myself 30 seconds. I have two other Senators who have expressed a desire to be here to speak on the issue. And the Senator had others?

Mr. DOMENICI. Just Senator GRAMM. And I was going to try to cut mine back to something that would reduce the time.

Mr. WIRTH. Mr. President, I yield myself whatever time I may consume, as we are waiting for the other Senators to come.

Mr. President, I really do not understand, and Senator WELLSTONE does not understand, what the enormous opposition to this is. As far as I have heard in the Senate for the last 5 years, every Member of the Senate has gotten up and spoken about the virtues of education, spoken about the priority of education, spoken about the importance of education, spoken about the

fact that we have to put greater long-term priority on education. Everybody has said that.

Now is a chance to simply say in a resolution that this is of a great import to the U.S. Senate. I myself would go a lot further than that. I would go a lot further in the appropriations process and in the budget process and say that a great deal of the dividend that we are going to reap as a result of changing our national priorities on expenditure ought to go to education. We are currently spending \$290 billion a year, Mr. President, on defense, \$290 billion a year.

The peacetime norm, average, since World War II, is \$235 billion a year. That is at the height of the cold war. What are we spending today? We are spending \$55 billion a year more than we were at the height of the cold war; \$55 billion a year more in 1991 dollars.

We say we are not going to have any cutbacks of that? Of course, we are. All of the budget plans I have seen outlined call for significant cuts in the defense area. Of course, we are. We are going to do that, and the American people are asking us to do that, telling us to do that, and saying that the world has changed. And it has, profoundly so.

Maybe there is a lot of fear rolling around of this change. People are often made very uncomfortable and fearful of the unknown, and we are going into the unknown, Mr. President. There is no question about it. We are moving into relatively uncharted waters. We are the only superpower left. We no longer have that defining relationship with the Soviet Union to tell us what we ought to spend our money on.

The world is more complex than it used to be. Our trade situation has changed; the need for us to be more competitive in the world has changed. These are all unknowns and sometimes a very fear-inductive phenomenon. For people in all of our States, change is coming, too.

I spoke this morning with employees from the Rocky Flats nuclear weapons plant in Denver, which is going to stop production as a nuclear weapons plant. That is going to mean some cutbacks and adjustments. Instead of saying, "No, no, do not change," we have to say, OK, that change has come about. The cold war is over.

That is a metaphor for a lot of other changes that will occur. And are we going to be willing to make those changes and face up to them modestly, or are we going to run away from them? We cannot run away. I think much of the country thinks we run away from too much of this as it is—and I think they are probably right—trying to duck the difficult issues and the tough questions that have to be raised.

The people in my State feel this way, and we do not have to run on this "rob

Peter to pay Paul," as suggested earlier, "They are taking money out of one pocket to go to the other." That is not the case.

These votes should not be votes of politics. If that were the case, Mr. President, I would have stood up and said, only for political purposes, that what we ought to be doing is spending an enormous amount of money to deploy the Strategic Defense Initiative, which could affect vast numbers of potential jobs in Colorado. The political thing to do is I should have voted for it. But I did not think we ought to deploy it. I did not think that was right.

We have to make those choices, and we are being asked by the public to do so, and it is about time we did. This resolution is a first step in that direction. Is there going to be change? It is going to happen. If so, how are we going to redirect those resources?

Again, if I had my druthers, the No. 1 priority would be kids and education. Both investments in education and in overall health care programs, are the kind of long-term investment that is absolutely imperative for us to make.

We know how cost effective prenatal care is and what happens on the immunization programs and how inexpensive they are. These are the best investments you can make. We have had 25-plus years of success in the Head Start Program.

And even though there have been some modest increases in the last 2 years, over the last 10 years we have seen a sharp and relative decline, only a quarter of the Head-Start-eligible kids enrolled, when that is the best educational investment we can make. Disgraceful.

We know that we have to do a lot of work on retraining teachers, these people who are working, killing themselves out there day in and day out, in some of the toughest places in the United States, in some of the toughest jobs. What we ought to be doing is what we did in the sixties and seventies. We ought to have summer training programs for all those children; help them reinvigorate themselves, recharge themselves, learn new techniques, new skills. We ought to be rewarding them for being in the classroom, not punishing them. We know how to do that. With a relatively small investment, you get a tremendous return.

We have to be doing a lot more on higher education and student access, which we discussed a little earlier. Higher education is becoming a privilege of people who have more money. We have to include that opportunity for all Americans, and it is out of the reach of too darned many.

We know that we need massive changes in the area of research and development. We used to have this wonderful economic machine, which was a cooperative effort among our univer-

sities and the private sector and the Government. Route 128 in Boston is a beautiful example of that. Stanford Industrial Park. What is going on in the Front Range of Colorado, and Golden Triangle in North Carolina is another example of cooperation as to institutions of education, the private sector, and the Government all working together. That was a mammoth engine of economic change, and we have let it corrode over the last decade.

And the money that we are spending on civilian research and development has declined dramatically. The Government's share declined; the private sector share, which has always reflected that, declined as well, just as the Germans and the Japanese are going in the opposite direction.

These are the kinds of things that should be at the top of our priority list. They should be at the top. What this amendment says is that we believe that education and our future is a priority that ought to be recognized. I put it right at the top, in an absolute sense. We do not have that opportunity now, nor is that what this resolution is all about. This resolution is all about setting priorities, and what is important.

Mr. President, why in the world we would have such controversy over something that is as straightforward as this proposal, I do not understand. Why in the world everybody here is not willing to put their vote where their priorities have been, and where their statements have been, as we make these changes, which are going to occur, our priorities ought to go to education, I do not know.

But, Mr. President, we have a few minutes of debate remaining. I would, at this point, retain my time, Mr. President.

I yield the floor.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER (Mr. LIEBERMAN). The Senator from Florida.

Mr. GRAHAM. Mr. President, will the Senator from Colorado yield for two questions?

Mr. WIRTH. I am happy to yield.

Mr. GRAHAM. Mr. President, I have been listening to this debate, and I am concerned about what is it we are committing to with this resolution. I am looking specifically at the second-degree amendment, which is the pending question, on page 6, line 6, which states that:

It is the sense of the Senate that . . . the Congressional Budget Act of 1974 and the Balanced Budget and Emergency Deficit Control Act of 1985 should be amended to permit the realization of a new domestic order through—

And then it lists (A), (B), (C), and (D) as items to be accomplished, which are quite specific. For instance, (A), Investments that ensure that all eligible 3-, 4-, and 5-year-old children receive comprehensive Head Start services.

That sounds like an entitlement program for Head Start. Is that what is intended?

Mr. WIRTH. It is not, Mr. President. First of all, we had to include the Congressional Budget Act in there because that is the reference point to the 1990 agreement. That is why that is in there.

Second, this is not by any means—and we discussed this earlier—an entitlement program either for Head Start or for higher education, and, in fact, the resolution refers to the appropriated program we have today. As much as I would like to see us fully fund the Head Start Program, this is a sense-of-the-Senate, and it just says investments that ensure that all eligible children receive these services.

It is the sense of the Senate that legislation should be enacted to provide investments that ensure that all eligible children are enrolled.

That is the sequence of the language.

Mr. GRAHAM. In (B), it talks about that it should be amended—

to permit the realization of new domestic order through

(B) investments that ensure that elementary and secondary schools have financial assistance necessary to improve educational achievement, promote student participation, and provide an educational environment that is conducive to learning, including a constructive student-teacher ratio.

Again, what action is intended to be generated as a result of the adoption of this sense-of-the-Senate with that language?

Mr. WIRTH. These are only examples of the kinds of things that ought to be done, as in the proceeding, at the top of page 6, that what we want to be doing is promoting the Nation's long-term economic growth and social well-being. Those are the kinds of things, as it says up here, that should be included in such an effort. Not exclusive by any means, but the kinds of things that we ought to do.

Mr. GRAHAM. Is there an estimate of what the range of financial costs would be in order to accomplish these objectives?

Mr. WIRTH. This is a sense-of-the-Senate resolution. It is not something that says how much money is involved in this at all. We are going to get to that point when we get to the budget resolution and as we go through the appropriations process. All this is a sense-of-the-Senate that says these items are a priority for us in the United States. And that priority, then, if you believe in that priority, these are the kinds of things that ought to be included in it.

Mr. GRAHAM. Thank you, Mr. President.

Mr. DOMENICI. Mr. President, I am going to yield 10 minutes to the distinguished Senator from Texas, but I want to make this remark.

Frankly, on the other side of the aisle, it seems to me they are having

difficulty because they do not know which side of the mouth to talk out of.

On the one hand, this resolution is meaningless. As a matter of fact, some who support it are saying: Any Senator that wants to spend a peace dividend for anything other than the programs proposed here should just come down to the Senate Chamber and we will put a colloquy together that says it is all right to spend more on a favorite program. So really, the resolution is meaningless.

On the other hand, my friends are arguing that we are in desperate shape in certain areas as a nation, and that we ought to spend money in a certain way because they are the highest priority. A simple way to resolve this conflict is to go ahead and amend this resolution to add all the other programs and activities that are a national priority. Everything is a high priority.

Education is a high priority. On the other hand, some say for continued economic growth we have to reduce taxes. That is a high priority. Some say infrastructure is a high priority.

Frankly, this resolution either means something or it does not. I am of the opinion that those who are offering it want to tell people that they are for these national priorities, so how can they then say the resolution is meaningless?

You know, the American people are listening to this debate. The few thousand that stay awake to listen to it, must be chuckling about Senators here on the floor talking about how we are going to fix productivity in America with this resolution. Especially when other Senators up and say the resolution does not mean anything.

Frankly, I am of the opinion that we do not need the kind of advice offered by this resolution for the next year. We need the committees that are working on initiatives such as those contained in the underlying education bill and the President of the United States. We ought to pass this education bill and we ought to get rid of any mandates as to how we ought to spend the peace dividend in the future.

With that, I will yield 10 minutes to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas [Mr. GRAMM].

Mr. GRAMM. Mr. President, let me make it clear what we are talking about. We are talking about a sense-of-the-Senate resolution that says let us take the peace dividend and let us spend it, and here are the areas it ought to be spent on. You could say this is a nonbinding sense-of-the-Senate resolution—but basically you are voting for a principle. I think that is what the distinguished Senator from Colorado wants to do. He wants to establish a principle.

The sense-of-the-Senate resolution says:

Legislation should be enacted that realigns the 1990 budget agreement to reflect the true



priorities of the American people by shifting unnecessary military spending into domestic programs, including child development, education, job training, long-term economic growth, and social well-being.

Mr. President, I am for all those things, and I think we ought to spend more money on all of them. I think we ought to spend more money on child development, education, job training, long-term economic growth, and the social well-being of America. And, quite frankly, those things do represent the true priorities of the American people.

But the debate here is about who ought to spend the money. I think that debate is going to be joined tonight by the President. I think it is going to be the No. 1 debate for the remainder of the century. I think the distinguished Senator from Colorado today, in this amendment, is staking out his position. And it is a position, obviously, that he is proud of. He believes the Government ought to spend this money, that the Government ought to be the principal beneficiary of the peace dividend.

Mr. President, I do not believe that. I believe that the long-suffering American taxpayer, who won the cold war by paying taxes year in and year out and who was deprived of money that he and she had earned as a result of paying these taxes, ought to be the principal beneficiary.

The proposal that is being made in this sense-of-the-Senate resolution is to let Congress spend the money. I think the preferable alternative is to let the American family spend the money. That is what the President is going to propose tonight, and that is what I support. I know Congress, and I know the American family, and I know the difference. I have a lot more confidence in the American family and its ability to make sound investments in its children and in its future than I have confidence in Congress making those investments.

I know we are hearing a lot of talk about how government has been deprived, but let me just take you on a little trail through the recent economic history of this country. I have here a little chart. I do not know if everybody can see it. But, basically, what it does is it starts out in 1967 and it reduces everything—family income, Federal spending, and State spending—to a baseline of 1. The whole story of this graph—and I will hold it up here for our colleagues on the other side who cannot see it, and they need to see it—is that, except for the Reagan years where family income grew, that family income basically was stagnant from 1967 to 1990. During that period, American families were struggling away, paying taxes, keeping Ivan back from the gate, winning the cold war. But all that time, Federal spending and State spending were skyrocketing.

Now we come to the point that the gate we kept Ivan back from has been torn down and we now have the prospect of converting money to civilian use—beating swords into plowshares. The question is: Looking at this graph, who ought to get these plowshares? I say the plowshares ought to go to the American family.

What is interesting is that there is nothing new under the Sun. We have done all this before. In fact, we had a peace dividend at the end of the Vietnam war. Let me give you some statistics that I think people find pretty startling.

In 1968, in real 1982 dollars, in defense spending we were spending \$254.8 billion on defense. By 1980, that had declined to \$164 billion. In fact, if you look at that whole period from 1968 to 1980, we cut real defense spending by \$910 billion.

You might ask, if real defense ely taxes went down, the deficit went down. None of those things happened. Because what happened is that while defense was being cut from 9.6 percent of GNP to 5 percent of GNP, nondefense spending was being increased from 11.3 percent of GNP to 17.1 percent of GNP. So, in fact, if you look here at this chart I have and began in 1968, what happened from 1968 to 1980 is defense came down. What happens from 1968 to 1980 is that family income basically plodded along and did not move very much. But what happened from 1968 to 1980 is that Government went on a massive spending spree and real nondefense spending almost doubled.

With all of this Government spending—spending money on all the things that the Senator from Colorado claims to be for, what happened? Family income rose by just 2.8 percent; poverty rose, unemployment rose, test scores declined. And why? Because Government primarily was investing in the next election and not the next generation.

We are going to have many debates as to what to do about the peace dividend and who should get it. Essentially, this is a meaningless sense-of-the-Senate resolution. I guess you could run for public office on this. You can say it is nonbinding. But I think it says where we stand on the issue. I want to make it clear, I want the peace dividend to go back to American families. I do not want Government to spend it. If you vote for this resolution, you are voting to say that the peace dividend ought to be spent by Government. You are saying it ought not to be given back to the taxpayer. You are coming out against the President's middle-class tax cut that he is going to propose in the State of the Union Address tonight.

I am for that tax cut. What I think should happen is that every penny of this peace dividend ought to go back to working people, and, to the degree that

it is not given back, it ought to be used to reduce the deficit. None of it should be spent.

So we are down to making fundamental decisions. They are not going to be made today. We are just posturing politically today. I think this point of order should be sustained. We should not be setting out priorities without debate. But if we were setting out priorities, these are not my priorities and I do not believe they are the priorities of the American people. I believe the American people can spend their money better than Government can spend it. And that is what this vote is about.

I yield the remainder of my time.

Mr. WIRTH. Mr. President, I yield 4 minutes to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington, Mr. ADAMS.

Mr. ADAMS. Mr. President, I support this sense-of-the-Senate amendment. The budget agreement is obsolete. The world has undergone monumental changes in the 2 years since that agreement was fashioned. It is time to update the budget agreement to reflect those changes.

This is a statement of principle. This amendment demonstrates that Congress is committed to the needs of today's Americans, not yesterday's. It reflects new national priorities, not lingering cold war fears.

The Berlin Wall has come down. It is time to remove the budget walls as well.

Who are we defending ourselves against with a \$280 billion defense budget? The Soviet Union is no more. The people of the republics are starving. They have insufficient medicine. Do we help them by spending \$55 billion on SDI? Do we help Americans by continuing to squeeze domestic spending?

We should be taking the position that we should be educating our people so they will have a job, that we should establish a health care system that gives Americans health protection, and that we should use the money to rebuild America. The American people want jobs, they want health care attached to those jobs, and they want skills given to them to carry out the job, not some phony tax cut of a few dollars to pay the bills they have had to run up during this recession, which has been caused by the policies that have just been advocated.

We need an American Marshall plan. We need to be certain that we have a Marshall plan for our workers like we gave Japan and Germany, and which they used to build their productive machinery. That is what this amendment is all about, and I am proud to support it. I hope it sets a new path for our country and that we accept the changes that have occurred in the world and help our people.

I yield the remainder of my time to the Senator from Colorado so he can yield to others.

The PRESIDING OFFICER. Who yields time?

Mr. WIRTH. How much time is remaining?

The PRESIDING OFFICER. The Senator from Colorado has 6 minutes 31 seconds. The Senator from New Mexico has 14 minutes and 16 seconds. Who yields time?

Mr. DOMENICI. Mr. President, I understand the Senator from Florida [Mr. GRAHAM] would like to discuss this matter in opposition to the resolution, and I yield him 4 minutes for that purpose.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, I think this sense of the Senate is much more specific than has been suggested. This sense of the Senate sets out a very specific funding plan and I interpret the language as stating that much of this plan will be an entitlement program. I believe that the consequence of that is to essentially say that the policy that is before us today is that virtually all of the expected reduction in defense spending will be allocated to the four areas that are listed herein.

I want to say that I strongly support all four of those areas. I come out of a long personal and political experience as an advocate, at the State and Federal level, for enhanced expenditures on education, on early childhood development, on job training. But I have serious reservations as to whether it is appropriate policy at this moment to make the following fundamental decisions:

One, the amount of the defense reduction that we are proposing to make. I believe that the United States certainly faces a different world than we did even 2 years ago. I do not believe necessarily that that is a world that is devoid of danger. I do not believe that the United States should be declaring unilateral disarmament and, therefore, I believe that our defense budget ought to be built not through the subtraction process but by the thoughtful addition process.

Let us assess what is the current threat to our national security. What are the interests the United States wants to protect and expand upon? And what is the reasonable role of the defense of our Nation in accomplishing those objectives? It is that basis that I believe should be used for the determination of how much our defense budget should be, not just an arbitrary percentage or numbers of dollars that can be reduced from a baseline that was predicated on a world different than the one in which we live today.

Second, I believe, Mr. President, that one of the keys to our economic future is going to be how we handle this transition of our military industrial com-

plex. The reality is we have spent a substantial amount of our national wealth and particularly a substantial amount of the national wealth that has gone toward research and new technologies toward defense technologies. We have a tremendous investment in corps of technological, managerial competence which have allowed us to do enormously technical things.

Mr. President, last night I spent 2½ hours at NASA looking at the new space station that we are funding. One is stunned at the technological competence that has brought us to this point and in less than 4 years will have us constructing this station in space if the Nation continues with its current commitment to do so, and I strongly hope and feel that it will.

Much of that ability is the fact that over a period of 40 years, we have invested in high technologies that were applied first to military purposes, now are being applied to space, and will be applied to a whole variety of civilian uses. I believe that one of our goals in this transition should be to try to hold these complexes of competence together as key to our future economic well-being.

It is interesting, Mr. President, this is exactly the issue which the former Soviet Union is facing. It is asking itself, how do we make the transference into a new economy? It has recognized that a key to that is to build upon the one area of the Soviet economy that was competent, which was largely in the defense and aerospace areas and how do we keep that competence in order to transfer it to some new civilian applications?

That ought to be a question that we ought to be asking ourselves, and part of our expenditure of this peace dividend, whatever it is, in my judgment, ought to go for that purpose.

A third question that concerns me about this amendment is the issue of who decides education policy in America? This sense of the Senate is as detailed as saying that the Federal Government should assure that we have an educational environment that is conducive to learning, including a constructive student-teacher ratio. That is a very intrusive role of the Federal Government in what has traditionally been a locally-controlled, decentralized education system.

I strongly support additional funding for education, but I also strongly oppose a federalization of our education system. I suggest, for instance, Mr. President, that if we have funds available and we want to constructively assist education in a way that is consistent with our traditions of local control, I would propose the Federal Government ought to be assuming a larger share of program costs such as Medicaid, which was a proposal made in the early 1980's under the heading of new federalism so that States would have

funds that they could apply to education. In my State of Florida, virtually 80 percent of all of the growth and revenue that is coming into our State government as a result of population and economic growth, 80 percent is being spent to fund the increase in our health programs, primarily the Medicaid Program.

If we want to release money for education, Mr. President, I suggest the way to do it is to have the Federal Government assume the larger share of its responsibility in those areas for which it has a primary responsibility, such as Medicaid, so the States can do their appropriate role in our Federal system of more adequately funding education.

So I conclude by saying the spirit of this is well intended, very positive, and I support it. The specifics in terms of how to accomplish the objective, I believe, are flawed and should, therefore, be held in abeyance for another day when we can have a fuller debate on the direction of our country in this new post-cold-war era.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I yield myself 5 minutes.

Mr. President, I just want to make a point, since the Senator from Florida has so eloquently pointed out some specifics, including the fact that this resolution says that we ought to create new entitlements. I suggest that if this chart shows the explosion of Federal expenditures, I think anyone who knows anything about our budget would say this is because of entitlements.

I am not looking forward to voting for a single new entitlement program for the United States. In fact, I think before we put any new ones on the books, we ought to commit ourselves to take some of the old ones off. It is very difficult to tell the American people we cannot do anything about program expenditures because the program is an entitlement and we fund it according to the law. They say "Who are you? You make the laws." I tell them we have to undo a whole law. They say, "We thought you appropriated the money." I say, we used to but we do not anymore because 51 percent of the budget goes to entitlement programs, automatic payments to recipients who are eligible, including our farmers, ranchers and students. Fifty-one percent of the budget is automatic.

Mr. President, I want to thank the Senator from Florida for raising the points that he raised. We ought to deny this resolution and vote no. We ought to say the budget agreement of the United States and the Budget Act make good sense and we should not be doing a resolution like this. If we want to vote for the resolution, then we ought to be honest and say specifically



what we want the peace dividend to be used for. I do not believe anyone is ready to make those kind of decisions today. Certainly not the kind of decisions this resolution calls for.

Having said that, I want to talk a minute about the American family. My good friend from Texas, Senator GRAMM, raised the point that, clearly, if we are going to spend defense money, we ought to spend some of it for the American family. Frankly, I say to my friends on the other side, Senator WIRTH, who I have known for a long time, and Senator WELLSTONE, who I am beginning to know and understand and work with, I believe the biggest problem with American education today is the demise and death of the value system in the United States. I believe every teacher in the United States would say, if you will give us disciplined children, if you will give us children who care about learning, if you will give us parents who care enough about their children to worry about what they are doing in school, we do not care about all these new-fangled programs.

The truth of the matter is the value system of the United States has disappeared. The opposite to what we know as traditional American values is being beat into our children on television, on radio and in newspapers until children do not know right from wrong. When they reach age 14 or 15, they bring their own gun to school, if they can get away with it, or carry their own knife. Teachers cannot teach. I believe that many of our children have lost their family support system.

Frankly, I do not know if Government can help with that. It is one of those intangibles. We need a renaissance, many people have said. But I think we need a renaissance in basic values in America, if not a renaissance in family life. A renaissance where there is the togetherness and giving of esteem to one another that goes on in a family. I believe that has left the scene in the American family, and I am not at all sure that Government can fix it.

But I do believe that we ought to say to the American family, that we are not going to tax the socks off you while you are trying to raise your children. Whether you are single, head of household, or married, you are working and struggling to make a living, and we will bend every single tax policy in this country in your favor. That would at least show that we care about the value of a family, a value without which we will not succeed with our children.

I know for many in this country, they say we can work this out at the Government level, we can put more money in the States and the States will take care of this with social service workers; or we will have teachers

helpers, or we will do all kinds of things to sort of fill that vacuum.

I do not believe the vacuum of the American family is going to be filled. I believe it is only going to be filled when the children themselves have the kind of help wherever they spend most of their hours, which is not in the schoolhouse and not in front of teachers. It is at home. American leaders, business leaders and others, can change things a bit. They can look at themselves and see what they are paying for on television, on radios and in newspaper ads.

I see this argument today, as I understand it, as an argument to commit the entire peace dividend to cover only those things which a few Senators have decided that they want. I do not think we ought to do that. I think we have other priorities. I think the Budget Act is effective; I do not think we should waive it.

I believe some votes will be obtained by telling Senators the resolution does not preclude everybody's favorite option. Senators will be calmed and say, well, we will vote for it then. I submit if that is the case, we should not have the resolution before us because it really stands for nothing. I yield the floor.

**THE PRESIDING OFFICER.** Who yields time? The Senator from Colorado has 6 minutes, 31 seconds. The Senator from New Mexico has 1 minute, 90 seconds.

**MR. WIRTH.** Mr. President, I do not disagree in any way, shape, or form with the emphasis the Senator from New Mexico has placed on this restructuring and commitment to a value position related to families and individual responsibility.

But it is also a very clear value commitment as to what we want our public institutions to do. Do we believe in investments and education of the future, or of starving these institutions? Are we going to continue to neglect the youngest?

These are the other kinds of enormously important values and priorities. I have made mine as clear as possible, as has the Senator from Minnesota and the Senator from Massachusetts and others.

A final note. This is not an entitlement program in any way, shape, or form. In fact we are implicitly discussing only discretionary spending. Nor are we saying this vast expansion of budget is not due to entitlements. The percentage of the budget going to discretionary spending has dropped since 1980 and, by the way, the percentage of the budget going to debt service, an entitlement, has increased by an even greater amount than the decline in discretionary.

If we have anything that is amiss in this country in terms of what is right and wrong, it is spending this huge amount of money, running up this vast debt in the last 12 years and then ne-

glecting our young people, who get nothing for the debt. We are leaving young people without the investment in the future which has always fueled the American dream. I yield 4 minutes to the Senator from Pennsylvania.

**MR. WOFFORD.** Mr. President, I join the Senators from Colorado and Minnesota in calling for the redirection of our Nation's priorities toward the vital human challenges American families are facing. Since the 1990 budget agreement, the world has turned upside down. It is time for America to turn its priorities right side up.

As John Kennedy once said, "America cannot be strong abroad if we are weak at home." That does not mean we should be weak abroad, but it does mean it is time for us to commit the same resources, energy, and urgency we put into foreign emergencies to the human emergencies here at home. That is especially true when it comes to the billions of dollars we have been pouring into the defense of our prosperous allies against a threat that no longer exists and investing now those funds in America's families and future.

No one can disagree that the military threats which existed at the time of the budget agreement have been dramatically diminished. The level of military spending envisioned by the budget agreement has been overtaken by events. Eastern Europe is being democratized and almost unimaginable changes have taken place in the former Soviet Union. Regardless of whatever wisdom there was in the budget walls that were put in the agreement in 1990, those walls are now preventing us from addressing problems here at home.

I respectfully disagree with the reading of this resolution by the distinguished Senator from Florida. This resolution says nothing about unilateral disarmament, nothing about particular amounts of military savings. It assumes there are military savings, as the President has proposed and more to be proposed here tonight.

What it says is whatever the military spending has been, we should direct the savings to promote the Nation's long-term economic growth and social well-being including, not limited to but including early childhood development, education, and job training. I agree with that premise. For many years, communities have confronted the challenge of educating those with special needs and those raised in poverty without enough Federal aid. Education is vital to the long-term health and security of this Nation.

I hope that tonight the President in his State of the Union message will call for bringing down the budget walls and declare an intention to help address the domestic problems so long neglected, because in the future our strength in the world will not be defined as much by our bombs as by our brains. My vote today is to call for the President to join us in that effort.

The PRESIDING OFFICER. Who yields time? The Senator from New Mexico has 1 minute and 9 seconds remaining, the Senator from Colorado 2 minutes 3 seconds.

Mr. WIRTH. Mr. President, the Senate will soon be voting on waiving the Budget Act so that this sense-of-the-Senate resolution can move forward. The reason that this rather simple statement of purpose is subject to a budget point of order is that it deals with Federal budget matter and S. 2 is not a bill reported by the Budget Committee. So, in spite of the fact that the amendment is nonbinding and does not have the force of law, it is still subject to this point of order.

So why should Senators support this waiver? Because this amendment is about more than just the budget—its about priorities. The sense-of-the-Senate amendment being offered by Senator WELLSTONE and myself states simply that the world has changed—I think it would be hard to deny that—and that we need to realign our Federal budget priorities to reflect this shift.

First, the Soviet Union is gone. What is left behind is a collection of economically struggling, self-absorbed republics with formidable problems of their own. They pose little threat to the United States, and with the dissolution of the U.S.S.R. our defense strategy has become obsolete. This also means that the Budget Enforcement Act is obsolete as well, and should be changed. That is what this amendment calls for.

Reducing our defense expenditures has bipartisan support. Senators from both sides of the aisle have suggested varying levels of further reductions in military spending, reallocating this money for other uses. This amendment does not state a level, it simply says that military spending should be reallocated for other, more pressing needs.

Second, economists from across the range of ideologies have said that the investments that have made our economy strong in the past are lacking today. For the last decade we have shortchanged our children's education, while saddling them with debt accumulated by a decade of huge deficits. We need to invest in education, child nutrition and health, research and development, and infrastructure. Our failure to do so carries a terrible price—the gradual decline of the United States, and a lower standard of living for our children.

Mr. President, I am sure that everywhere my colleagues go, they hear what I do. They hear the American people asking us to reform our Government—to reflect the monumental movement toward peace that this world has seen. For months people have been talking about how we can now cut defense spending and reinvest in ourselves. People are ready for these changes.

For more than a decade, the needs of our children and youth have been seriously neglected. In that time, defense has seen a 56-percent increase in spending, while programs to enhance the lives of children and long-term economic growth have experienced growth of only 5 percent.

The failure to invest in early childhood development, in job training, and education creates long-term social costs, rather than long-term productivity and economic growth. We must turn the tide—we must restore the people's faith in the Government that we can do the right thing. We can see that the Budget Act of 1990 does not carry us into 1992, so we will change it. We are not so entrenched in the inside the beltway mindset that we are oblivious to what is happening in real life America.

We have offered an amendment—a sense-of-the-Senate resolution—that states that in order to meet our great needs at home, we need flexibility in our budget. By binding ourselves by the straitjacket of the budget agreement of 1990, we are limiting what our Government can do for the citizens of the country. In doing that, we are limiting our own potential.

While I voted against the Budget Enforcement Act which was offered as an amendment to the 1990 reconciliation bill, I recognize that many of my colleagues did not. But surely we can all recognize that to say that times have changed since 1990 is something of an understatement.

Our No. 1 educational goal is that all children should enter school ready to learn. We are already behind where we must be to make this goal a reality—and it should be a reality. We know that Head Start works. We know that kids' minds can be enriched and their school work improved if they are ready to take in the educational opportunities provided to them.

Despite 25 years of proven success—not even 30 percent of eligible children participate in Head Start. Ensuring that all eligible 3-, 4-, and 5-year-old children have the opportunity to participate in Head Start is a basic—we should not even have to wonder if this program should be fully funded.

But without changes in our current Federal budget, Head Start will never be fully funded. We will not be able to support teacher training programs that bring new vigor to the classroom. We will not be able to reduce the number of children in each classroom.

We will throw roadblocks in front of the innovation that needs to happen in our schools. We will have done little to ensure that students leave the elementary and secondary grade with high levels of academic achievement. We will have left untrained our front-line workers and our businesses without the support they need. We will have told those that always thought that a high-

er education was beyond their means that they were right—it is.

If we fail to make this essential change, to take down the walls between military spending and spending on our children, in 1993 we will not be able to pay for inflation in our education programs. The Congressional Budget Office last week reported that we must cut 3 percent off of baseline to meet the caps in 1993. In 1994 and 1995, we must cut another 8 percent.

I think it is clear to us that this country is in no position to take cuts in critical human investments.

Voting to waive the Budget Act so that we can pass this amendment will provide us the opportunity to tell our constituents that we are committed to passing the necessary legislation to break down the budget walls. Then we will be able to consider legislation to actually make the shift from unnecessary military spending into domestic priorities—including early childhood development, education, and job training.

Mr. LEVIN. Mr. President, when the budget agreement was reached in 1990, I voted against it, in part, because I was concerned that it baked in numbers for spending that were inconsistent with the need to substantially reduce the budget deficit and that it ignored the changes taking place in the world which might allow for a reduction in defense expenditures. The Wirth-Wellstone resolution before the Senate today offers the Senate an opportunity to go on record as saying that the 1990 budget agreement should be modified to allow for some of the savings from cutting the military budget to be used to fund a greater investment in education or other urgent purposes.

I am pleased to hear Senator WIRTH indicate that he believes that this resolution is consistent with also using a substantial portion of defense savings to reduce the budget deficit. I believe that such a deficit reduction effort is essential. To quote from the Congressional Budget Office analysis released last week.

The budget deficit remains a serious economic and social problem. \* \* \* Such large budget deficits impair economic growth by reducing national saving and capital formation. Deficits also create a vicious cycle of more federal borrowing and higher debt service costs, which in turn make it still more difficult to reduce the deficit.

The CBO report goes on to point out one of the consequences that increased debt service costs have on other discretionary spending. It states:

Together, discretionary spending and net interest spending are about as large as they were 10 years ago, but a larger portion is consumed by interest and a smaller portion is being devoted to programs that provide services and satisfaction to the public.

Mr. President, in order to be effective, this resolution needs to be followed up with action. That will be the



challenge of this session of the Congress.

Mr. DURENBERGER. Mr. President, I rise to express my strong opposition to the pending sense of the Senate resolution offered by the Senator from Colorado [Mr. WIRTH].

Mr. President, if we adopt this resolution, we are effectively abandoning the budget agreement that we labored to produce less than 18 months ago. The wall between defense and domestic programs will finally be pierced after numerous failed efforts by colleagues on the other side of the aisle to break that barrier.

I ask my colleagues: Is this legislation the appropriate vehicle to break down the 1990 budget agreement? I believe it is up to the President, the House and Senate leadership, and all Members of the Congress to fully consider how we should spend the so-called peace dividend and that this resolution is inappropriate and untimely on this bill.

Moreover, this resolution sets us on a course to take whatever savings accrue from the changing international military balance and shift those savings into new entitlements and expanded spending for current domestic programs. In the name of helping our children and our children's children, the authors of this amendment appear to believe that the best we can do is to spend more taxpayer dollars on programs, many of which may have outlived their usefulness.

For example, the resolution recommends that we take part of the peace dividend and use it for expanded student loan programs. In this Senator's view, the current Student Loan Program needs top-to-bottom revision. Before we simply throw more money into student loan programs, we must consider alternatives such as I have proposed along with Senator SIMON.

Most important, Mr. President, I believe that if we want to do the best for the future of this country and its citizens, the best thing we could do is take the lion's share of the peace dividend and use it to reduce the Federal deficit.

Mr. President, over the past 12 years, we have allowed the Federal deficit to grow by more than \$2.4 trillion. The national debt is rapidly approaching \$4 trillion and interest on the debt has become the third largest component of Federal spending. We must make a real commitment to eliminate this deficit rather than shifting Federal spending from one account to another.

Mr. President, yesterday a great American retailer, Macy's, filed for chapter 11 bankruptcy. Why has this company sought the protection of the Bankruptcy Court? It is not because the company made poor fashion judgments. It is simply because the company took on too much debt during the 1980's.

There is a lesson here, Mr. President. And the lesson is that unless we begin

to face up to this massive deficit, we are going to leave our entire Nation poorer for decades to come. We can ill afford to shift dollar-for-dollar from the defense budget to domestic programs without ultimately making our children worse off.

Mr. WIRTH. Mr. President, I think we have had a good, full, and fair debate on this particular issue. I think it is very clear what the sense-of-the-Senate resolution is that as we change our country's priorities—a high priority in my opinion—it should be the highest, but others have high priorities, which must be a very significant commitment to education.

What could be a further and more resounding commitment to the future and to the change the country is asking of us? We know we are going to go through some very painful transitions. We know that is the case. The best way to start is through education and retraining. That must be the first and foremost commitment. That is what we are going to be doing. That is what communities are going to be doing, what schools are going to be doing as the country is looking to be more competitive. That is what we must be doing at the university level. That is what we must do for our young people. This is a sense-of-the-Senate resolution which simply expresses as we make the change to reflect the new world that this is a very clear priority. It must include Head Start, retraining, and so on.

I thank my colleagues very much for their support during this discussion. Mr. President, if the distinguished Senator from New Mexico has yielded back all of his time, I yield back my time.

Mr. DOMENICI. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on the motion—

Mr. DOMENICI. Mr. President, I ask for the yeas and nays.

Mr. KENNEDY. Yeas and nays, Mr. President.

The PRESIDING OFFICER. The request has been made for the yeas and nays. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the motion to waive the Congressional Budget Act for the consideration of amendment No. 1490 offered by the Senator from Colorado [Mr. WIRTH]. The yeas and nays have been ordered. The clerk will call the roll.

Mr. KENNEDY. Parliamentary inquiry, Mr. President. Is a vote aye a vote to waive the Budget Act?

The PRESIDING OFFICER. The Senator is correct, a vote aye is a vote to waive the Budget Act.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Iowa [Mr. HARKIN] and the

Senator from Nebraska [Mr. KERREY] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The yeas and nays resulted—yeas 45, nays 53, as follows:

[Rollcall Vote No. 8 Leg.]

#### YEAS—45

Adams	Dixon	Mitchell
Akaka	Exon	Moynihan
Baucus	Ford	Poll
Bentsen	Fowler	Pryor
Biden	Gore	Reid
Bingaman	Hollings	Riegle
Boren	Johnston	Robb
Bradley	Kennedy	Rockefeller
Breaux	Kerry	Sanford
Bryan	Kohl	Sarbanes
Burdick	Lautenberg	Sasser
Byrd	Leahy	Simon
Conrad	Levin	Wellstone
Cranston	Metzenbaum	Wirth
Daschle	Mikulski	Wofford

#### NAYS—53

Bond	Gorton	Murkowski
Brown	Graham	Nickles
Bumpers	Gramm	Nunn
Burns	Grassley	Packwood
Chafee	Hatch	Pressler
Coats	Hatfield	Roth
Cochran	Heflin	Rudman
Cohen	Helms	Seymour
Craig	Inouye	Shelby
D'Amato	Jeffords	Simpson
Danforth	Kassebaum	Smith
DeConcini	Kasten	Specter
Dodd	Lieberman	Stevens
Dole	Lott	Symms
Domenech	Lugar	Thurmond
Durenberger	Mack	Wallace
Garn	McCain	Warner
Glenn	McConnell	

#### NOT VOTING—2

Harkin Kerrey

The PRESIDING OFFICER. On this vote the yeas are 45 and the nays are 53. Three-fifths of the Senators present and voting, not having voted in the affirmative, the motion to waive the Budget Act is rejected.

Amendment No. 1490, which proposes a changed matter within the jurisdiction of the Budget Committee, has been offered to a bill that was not reported by the Budget Committee, in violation of section 306 of the Congressional Budget Act, and, therefore, the amendment falls.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. KENNEDY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KENNEDY. Mr. President, just for the information of the membership, there is a Seymour amendment, which we are going to accept, and there are, I think, other amendments which have been worked out; the amendments themselves will have to be modified. But I see no reason, unless there are others in here who want to make extensive statements, that we cannot finish this or at least start final passage in about 15 or 20 minutes. That is our hope. I have talked to Senator KASSEBAUM and Senator COCHRAN as well as Senator HATCH, and that is roughly

their understanding also. Nothing is very definite, but that is at least the current condition of the legislation.

Mr. SEYMOUR addressed the Chair.

The PRESIDING OFFICER. The pending question is the Kennedy amendment No. 1492.

Mr. SEYMOUR addressed the Chair.

The PRESIDING OFFICER. The Senator from California is recognized.

#### AMENDMENT NO. 1487, AS MODIFIED

Mr. SEYMOUR. Mr. President, I rise to bring up amendment No. 1487, which had been set aside. After consultation with my colleagues on the committee we have agreed to new language. I understand the amendment has been accepted by both sides.

The PRESIDING OFFICER. The Senator has a right to call for regular order with regard to amendment 1487.

Mr. KENNEDY. Will the Senator yield?

Mr. SEYMOUR. Certainly.

Mr. KENNEDY. As I understand it, there is some new language.

Mr. SEYMOUR. Correct.

Mr. KENNEDY. As I understand it, the Senator will send that to the desk so that we can take action. Is that the intention of the Senator?

Mr. SEYMOUR. Yes, that is my intention.

The PRESIDING OFFICER. Is there objection to modifying the amendment?

Without objection, it is so ordered. The amendment is modified.

The amendment (No. 1487), as modified, is as follows:

On page 34, line 11, insert "if such initiatives permit parents of students served by a school to choose a school in accordance with this clause and encourage parents to participate in governance, management processes, or activities related to their children's education programs" before the semicolon.

Mr. SEYMOUR. Mr. President, I also ask that amendment No. 1488 be withdrawn at this time.

The PRESIDING OFFICER. Without objection, amendment No. 1488 is withdrawn.

The amendment (No. 1488) was withdrawn.

Mr. KENNEDY. Mr. President, this amendment involves parental involvement in these choices and decisions. That was always the intention of the managers. I think the Senator has added some clarifying language to make it even more explicit. So it is completely consistent with the thrust of the legislation. We thank the Senator for his cooperation.

The PRESIDING OFFICER. If there is no further debate, the question occurs on amendment No. 1487, as modified.

Mr. KENNEDY. I ask unanimous consent that the amendment of the Senator from California be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1487), as modified, was agreed to.

#### AMENDMENT NO. 1492

Mr. KENNEDY. Mr. President, there is a small technical amendment that is necessary to ensure that the funds actually are appropriated under the 1992 appropriations bill for the Departments of Labor, HHS, and Education. This amendment has been drafted with the assistance of the chairman of the Appropriations Committee and has been cleared with him. It has also been cleared with the House Appropriations Committee. I believe it is now acceptable to the other side of the aisle.

Last year, at the time of the appropriations, the language indicated the nature of the follow-on legislation, and the Department of Education has had some concern whether this legislation falls within that particular definition. Clearly, this is an expression of the Senate consistent with that earlier language and this technical amendment will ensure that when legislation is actually passed—it will have to be put through the House, have to go to conference, it will have been signed by the President, hopefully, or otherwise disposed of—that those resources can be expended consistent with what the legislation is that we have adopted.

Mrs. KASSEBAUM. Mr. President, that is agreed to on this side.

Mr. SPECTER. Mr. President, the vision for America 2000, as articulated by the President last April, originally led me to fight to reserve \$100 million, in the Appropriations Committee conference last fall, for activities associated with America 2000. Specifically I was interested in supporting the creation of break-the-mold schools throughout our country.

While I remain hopeful that the America 2000 activities that were envisioned to be supported by the funding that the committee agreed to set aside, may still be included in a final education bill that comes out of the conference with the House, I nonetheless remain disappointed that, by amendment, S. 2 would allow the \$100 million to be used for activities other than those that are a part of the America 2000 proposal.

I agree with President Bush and Secretary Alexander that bold and dramatic changes, like those spelled out in the America 2000 strategy, are needed in our education system if we are going to keep the United States competitive in the international marketplace and second to no other nation in the world.

It was that bold spirit of education reform that fueled my efforts to support many elements of the President's legislative package. And it was that spirit that moved me to persuade my colleagues on the Appropriations Committee to set aside the funds for America 2000, pending its authorization this spring.

But as we now know, based on the legislative actions of this body last

week, there will be another education reform package, a compromise bill, not the transforming bill proposed by President Bush and Secretary Alexander.

I look forward to working with my distinguished colleagues in this body to advance the cause of education reform. Since the House still needs to act and a conference to be held, I must however, point out that we do have a long way to go before work on this education reform package is completed.

Consequently, it is my sincerest hope that when the smoke clears after all the debate, we will send a bill to the President that is similar to the one the President proposed last spring, rather than similar to the one about to be cleared by this body today.

Mr. KENNEDY. Mr. President, have we acted now on the technical amendment?

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1492.

The amendment (No. 1492) was agreed to.

Mr. KENNEDY. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mrs. KASSEBAUM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KENNEDY. Mr. President, I move to reconsider the vote.

Mrs. KASSEBAUM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### MODIFICATION TO AMENDMENT NO. 1481

Mr. KENNEDY. Mr. President, we have a small modification of the sense-of-the-Senate resolution on the Peace Corps that was adopted on Friday. I understand this amendment has been cleared on both sides.

The PRESIDING OFFICER. If there is no objection, amendment No. 1481 is so modified.

The modification to amendment No. 1481 is as follows:

In clause (1) of the section stating the sense of the Senate with respect to the Peace Corps, as added by amendment by Senator Wellstone (amendment No. 1481), insert "as part of a balanced program and without diminishing its efforts in other parts of the world," after "effectively". In clause (2) of that section, insert "consistent with clause (1)," after "President".

The PRESIDING OFFICER. The Senator from Ohio.

Mr. METZENBAUM. Is the Senator from Ohio correct that his amendment which was offered last week is presently pending?

The PRESIDING OFFICER. The Senator from Ohio needs to call the amendment back to the floor.

Mr. METZENBAUM. Pardon?

The PRESIDING OFFICER. The Senator from Ohio needs to call the amendment back to the floor.



## AMENDMENT NO. 1483

Mr. METZENBAUM. Mr. President, I ask for the regular order in order to call the amendment of the Senator from Ohio back at this time and make it the pending order of business.

The PRESIDING OFFICER. The pending question is amendment No. 1483, offered by the Senator from Ohio.

Mr. METZENBAUM. Mr. President, I now withdraw that amendment.

The amendment (No. 1483) was withdrawn.

## AMENDMENT NO. 1496

Mr. METZENBAUM. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Ohio [Mr. METZENBAUM] proposes an amendment numbered 1496.

Mr. METZENBAUM. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place add the following new section:

**SEC. . GENERAL ACCOUNTING OFFICE REPORT  
ON THE EFFECT OF TAX INCENTIVES  
ON LOCAL PUBLIC SCHOOL FI-  
NANCE.**

(a) Within 180 days after the date of enactment, the Comptroller General of the United States shall prepare and submit to the chairman and ranking minority member of the Senate Committee on Labor and Human Resources a study on the nature and extent of tax abatements given by state and local governments to attract business and the extent to which such abatements:

(i) reduce the tax base available to support public elementary and secondary education in the jurisdiction granting the abatement;

(ii) reduce the funds available to support elementary and secondary schools in the jurisdiction granting the abatement; and

(iii) review the extent to which citizens in the state and local community granting the abatement realize the potential impact of the abatement on funding for local public schools.

Mr. METZENBAUM. Mr. President, the amendment I had previously offered and that was at the desk over the weekend had to do with the question of various school districts, cities, States, offering economic tax advantages to various corporations. There has developed a competition between the States as to who can give more, or which State or community can give more in tax abatements in order to bring corporations into those communities.

Understandably, corporations have been willing to accept those abatements and have taken that into consideration in locating their plants.

The net result has been that the school systems of this country have been negatively impacted by hundreds of millions of dollars. It is time we take another look at this subject.

The amendment I had originally sent to the desk would have deducted from

the economic development funds of any State, that amount of tax abatements that had been given in an earlier period. That was a rather drastic step but it highlights the severity of the problem.

Since many Members of this body had not been familiar with the issue and were not prepared to vote as to the impact that it would have, and since there had not been much advanced notice given with respect to the amendment, the Senator from Ohio has withdrawn the earlier amendment and sent to the desk a substitute amendment which would order the GAO to make a study as to the economic impact of these tax abatements on the school systems of this country, and instructs the GAO to report back within 6 months in order to advise the Members of Congress and the people of this country, what economic impact this is having on the school systems of this country.

It is my understanding the amendment has been cleared on both sides of the aisle. If that is the case I am prepared to act.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. As I understand it, within 180 days the GAO is to conduct a study to determine the nature and extent of the tax abatements given by State and local governments to attract business and the extent to which such abatements, one, reduce the tax base available to support public elementary and secondary education in the jurisdiction granting the abatement; two, reduce the funds available to support elementary and secondary schools in the jurisdiction granting the abatement, and, three, review the extent to which citizens in the State or local community granting the abatement realize the potential impact of the abatement on the funding of local public schools.

Mr. President, the Senator has sent the amendment to the desk. I have every intention of supporting the amendment. I believe we wanted to just give an opportunity to some of our colleagues to look at that briefly; I expect for no more than a few moments. Then we could, hopefully, dispose of that.

Mrs. KASSEBAUM. I ask the Senator from Ohio, who would receive this report after it is completed by the GAO.

Mr. METZENBAUM. I believe it has been drafted and worked out with Senator KENNEDY's staff. I believe it has been drafted to report to the minority and majority member, the majority and minority leadership of the Labor and Human Resources Committee.

Mrs. KASSEBAUM. The full committee?

Mr. METZENBAUM. Yes.

Mr. KENNEDY. Could I indicate we obviously would have an opportunity then to examine it, to review it, to

hear those who wish to comment on it. To the extent the committee then wants to make some adjustments, we are going to have the reauthorization next year, for example, of the basic elementary-secondary education. It will be available to whatever extent the Members feel that it is relevant to that reauthorization. That is, at least, what our intention would be.

Mrs. KASSEBAUM. I think this is a very important issue, Mr. President. This study could be useful. I think every State, now, has many instances in which tax abatements are offered. I think this GAO study is useful, to see what effect this situation is having on school financing.

Mr. METZENBAUM. I thank the Senator from Kansas.

Mr. KENNEDY. Mr. President, we are prepared to voice our support for the measure. I am grateful to the Senator from Ohio.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment of the Senator from Ohio, amendment No. 1496.

The amendment (No. 1496) was agreed to.

Mr. METZENBAUM. Mr. President, I move to reconsider the vote.

Mrs. KASSEBAUM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BOREN. Would the distinguished chairman yield for colloquy?

Mr. KENNEDY. I would be happy to yield to the Senator from Oklahoma.

Mr. BOREN. For the purpose of clarification I would like to ask the chairman what is intended as criteria for schools that wish to apply for funds provided in this act for magnet schools. Is it the chairman's intention to include schools systems that have achieved unitary status if such systems include one or more elementary or secondary schools in which minority group student enrollment exceeds 80 percent of the total enrollment and if the funds are directed toward such schools?

Mr. KENNEDY. I appreciate the opportunity to clarify this point. It is the committee's intention that for the purposes of this act, the term "magnet school" refers to a school in a local education agency that attracts children regardless of mandatory attendance zones. It is our intention that such schools as described by the Senator from Oklahoma shall be eligible for magnet school funding through their local education agencies under this act.

Mr. BOREN. I thank the chairman for clarifying the intention of Congress with regard to this act.

Mr. FORD. Would my distinguished colleague, the chairman of the committee, yield for colloquy?

Mr. KENNEDY. I would be pleased to yield for that purpose.

Mr. FORD. As my colleague knows, Kentucky has just undergone a comprehensive statewide education reform initiative, brought on by a 1989 decision of the Kentucky Supreme Court. While I wholeheartedly support this legislation, I was concerned that this legislation did not recognize the efforts States, like mine, have already made to implement reform and meet many of the national goals we spell out here.

I commend my colleague for accommodating these concerns by accepting language to the modification which I sought to allow States like Kentucky to bypass the requirement for developing a comprehensive State reform plan. Under my language, States will be able to apply to the Secretary of Education for a waiver of the first-year requirements. Such States will have to give the same assurances that nonwaiver States make, but they will not have to use first-year funds to develop a State improvement plan. Instead, States receiving a waiver will be able to use first year funding to begin making grants to neighborhood public schools.

I would ask my colleague, is it the intent of the managers that States, such as Kentucky, be allowed to bypass the first-year funding requirement for development of a State neighborhood schools improvement plan?

Mr. KENNEDY. I appreciate the Senator from Kentucky raising this issue. It is not our intent that States that have already developed and implemented State reform plans be forced to repeat those efforts. States such as Kentucky, South Carolina, Oklahoma, and others, have spent considerable resources and time developing State school reform plans. Under provisions of the modification, as amended by this language, such States can apply to the Secretary for a waiver of this requirement, and begin using funds as otherwise allowed in the first year, or as provided for in second and succeeding years.

Mr. FORD. I thank the chairman, Senator KENNEDY, and the ranking member of the committee, Senator HATCH, for accommodating the concerns and efforts of Kentucky by including this language in the pending bill. We certainly support, and encourage, education reform in Kentucky and I am pleased to support this important legislation which will enhance our efforts.

Mr. KENNEDY. I commend my colleague for raising this issue and thank him for his provision, which strengthens this legislation.

Mr. BOREN. Would my distinguished colleague yield?

Mr. KENNEDY. I would be happy to yield to the Senator from Oklahoma.

Mr. BOREN. I want to join my colleague from Kentucky in thanking the managers of the bill for making this modification. As the Senator from Massachusetts has already indicated,

Oklahoma is also one of those States which has already developed reform plans. In our case, the people of the State have affirmed support for these plans in a statewide vote. It would have been unfortunate indeed and unfair if States which had already made tremendous efforts were not recognized for their actions. That is why I, along with my colleague Senator NICKLES, have been working with the Senator from Kentucky to develop this language which will allow States like ours to proceed ahead with the implementation of their reform plans. I appreciate the sensitivity of the Senator from Massachusetts, the Senator from Utah and others to the need to make this change in the original bill.

#### NEW PUBLIC SCHOOLS

Mr. SEYMOUR. Mr. President, I would like to ask the distinguished Senator from Massachusetts [Mr. KENNEDY] to clarify a question for me. In the section of the bill relating to new public schools. Would it be possible that a school which: First, offers curriculum options that best match the needs of the students served by the system, such as college preparatory, vocational education, math and science, or cultural arts; second, recruits into the system teachers with specialized skills, especially skills in mathematics, science, and bilingual education, from professionals in fields other than education; third, permits parents of students served by the school, and require parents that choose their child's school, to participate in governance, management processes, and activities relating to educational programs; fourth, establishes a preschool transition program such as Follow Through, to assist students within the school who were previously enrolled in Head Start or similar program in making a transition to elementary school, ensuring that at-risk students will receive needed assistance; be considered a new public school as described in S. 2?

Mr. KENNEDY. Yes, a school that designed its program including those elements would qualify as a new public school.

#### INNOVATIVE TEACHING TECHNOLOGY

Mr. DASCHLE. Mr. President, I would like to ask the distinguished floor manager, the Senator from Massachusetts, a question regarding the education reforms that would merit funding under S. 2. Would the manager yield for a question?

Mr. KENNEDY. Yes.

Mr. DASCHLE. As the Senator knows, in rural States such as South Dakota, the need for innovative teaching methods and devices often is accompanied by a lack of resources—including teachers—due to vast populations and low incomes. One technology that has shown promise in overcoming some of these difficulties is a system known as interactive television. This technology allows students

to interact with television screens through questions, choices, and discussions presented in the educational program. This technology is considered cost-effective and very simple to operate and, thus, has promise for educational instruction in both rural and urban areas.

I notice that in section 208 of title II, which outlines the authorized uses for grants given to schools for education reform, there is a list of several programs or innovations that would be considered eligible for funding under S. 2.

Would the Senator consider this an exhaustive list of reforms eligible for funding?

Mr. KENNEDY. No, not at all. I would inform the Senator from South Dakota that this list is merely illustrative and that other appropriate uses would be permissible.

Mr. DASCHLE. So, if a school wished to implement a program utilizing interactive TV to improve student achievement, and the State's advisory council approved, this program would be considered an appropriate use of those funds?

Mr. KENNEDY. The Senator is correct. In fact, under subsection (b)(10), the bill states that funding for projects which increase the use of educational technology and integrate such technology into the instruction program of the school are permissible.

Mr. DASCHLE. I thank the Senator for clarifying this issue.

#### THE ELEMENTARY SCIENCE FACILITIES ACT

Mr. HATFIELD. Mr. President, on November 21, 1991, I filed an amendment to S. 2 entitled "The Elementary Science Facilities Act." My amendment would provide funds for matching grants to enable schools to purchase equipment and materials needed for hands-on discovery lessons in their elementary classrooms. This proposal recognizes that children gain scientific knowledge most effectively through investigation and hands-on discovery activities.

By funding the Eisenhower Mathematics and Science Education Act, Congress has provided support for excellent teacher enhancement activities which provide training in new curricula and methodologies. Unfortunately, many elementary school teachers are unable to fully implement new techniques for teaching science and mathematics because their schools lack adequate resources. One-third of all science classrooms in grades four through six had no scientific equipment at all in 1985-86. That same year, 64 percent of all minority third grade students reported that they had never used a microscope.

The results are distressing. Research indicates that half of our young students have lost interest in science and mathematics by the time they leave the seventh grade. This situation must



be remedied if America is to produce a technologically literate work force as well as the engineers, scientists and mathematics needed to remain economically competitive in an increasingly complex world.

In 1990, the Congress unanimously passed the Excellence in Mathematics, Science and Engineering Act. This bill, authored by Senator KENNEDY and me, set forth national objectives which included improving the quality of teaching in mathematics and science. My amendment provides the next logical step in assuring that all of our young students have access to instructional experiences which foster critical and creative thinking and capture their interest in these important fields. Our young children must have the opportunity to learn science by doing science.

I would like to thank my colleague, Senator PELL, for his commitment to consider this amendment during his subcommittee's upcoming work on the reauthorization of the Office of Educational Research and Improvement. I look forward to working with him and other members of the Labor Committee to ensure that elementary teachers have the tools they need to inspire children in mathematics and science.

Mr. PELL. I would like to commend my colleague from Oregon for his longstanding dedication to improving science and mathematics education for the Nation's children. His amendment addresses a critical part of the problem—attracting and keeping a child's interest in the sciences through hands-on exploration opportunities.

There are clear signals that we must work to improve our elementary science and mathematics programs. The National Assessment of Educational Progress recently provided data from its 1985-86 tests on the proficiency of 9-year-old students in analysis of scientific procedures and data. I was pleased, of course, to learn that 9-year-olds in the Northeast had the highest percentage of students demonstrating an understanding of the design of experiments. However, you can imagine my dismay when I learned that this highest percentage was only 5.4 percent of all 9-year-olds tested. Nationally, only 3 percent of the 9-year-olds demonstrated some understanding of the design of experiments or any degree of specialized knowledge across the subdisciplines of science.

We know that far too few of our students take upper level science and mathematics courses in high school. There have also been many disturbing reports on the low numbers of minorities and women entering fields which require a strong background in mathematics and science. If we hope to encourage more of our young people to prepare for these challenging disciplines, we must remedy the problem of inadequate elementary science

equipment and materials as well as other critical problems such as teacher training and curriculum development. All young children should have challenging educational experiences, including access to hands-on activities which stimulate interest in mathematics and science.

I share the commitment of the Senator from Oregon to this important issue and I look forward to working with him when my subcommittee next considers legislation to reauthorize the Office of Educational Research and Improvement.

#### S. 2, NATIVE AMERICAN PARTICIPATION IN THE NEIGHBORHOOD SCHOOLS IMPROVEMENT ACT

Mr. DOMENICI. Mr. President, I am very pleased to support Senator BINGAMAN's efforts to amend S. 2 so that American Indians will be able to participate in the Neighborhood Schools Improvement Act, as authorized in S. 2.

It is well known that the academic achievement of young Native Americans is far below any other ethnic or cultural group. By recognizing the special needs of Native Americans, I believe we can definitely help with systemic school reform and improvement.

It is my hope that the U.S. Department of the Interior through the Bureau of Indian Affairs will identify the Indian schools most in need of this type of grant money. Many public schools as well as Bureau operated schools serve over 40,000 New Mexico Indian students.

In particular, I am very interested in strengthening parent involvement and dropout prevention through culturally sensitive curriculum improvements. Life management skills instruction is another idea that could be funded with this type of grant money. The New Mexico recommendations to the White House Conference on Indian Education included these two ideas as well as an emphasis on bilingual programs.

I am encouraged that the Senate has agreed to help make these and other substantive changes to the daily educational experience of the young Indian people of this Nation.

Mr. President, I commend my colleague, Senator BINGAMAN, for his fine efforts on behalf of Indian children in public schools and Bureau of Indian Affairs schools. I look forward to working with New Mexico's Indian education institutions to promote more effective neighborhood schools for Native Americans.

Mr. BINGAMAN. Is it the Senator's understanding that nothing in this title shall be interpreted to prohibit the provision of a grant from a State to a school under the jurisdiction of the Bureau of Indian Affairs?

Mr. KENNEDY. It is my understanding that in the case that a State has located within its boundaries a school(s) under the jurisdiction of the Bureau of Indian Affairs, the application from

each State for grants under this title shall include an assurance that nothing in this title shall be interpreted to prohibit the provision of a grant to, or prejudice an application for such a grant from such a school.

Mr. BINGAMAN. Is it the understanding of the Senator from Massachusetts that the conference committee will discuss this issue of grants to schools under the jurisdiction of the Bureau of Indian Affairs?

Mr. KENNEDY. I cannot speak for the committee but I certainly will work toward addressing this issue within the conference. I am aware that the Federal Government has a direct responsibility and obligation for education of Native Americans. I am aware that Native American education has very serious problems and the issue of education for Native Americans is a trust responsibility which the Congress must take very seriously.

Mr. LAUTENBERG. Mr. President, I rise in support of passage of S. 2, the Neighborhood Schools Improvement Act. I am pleased to be a cosponsor of this bill.

This legislation establishes a set of national education goals, promotes their achievement, establishes a National Council on Education Goals, sets up a National Report Card to measure progress towards these goals and provides resources for local districts to develop new, break the mold schools, through a Neighborhood Schools Grant Program. The Senate has also adopted an amendment that would let some schools try to prove that they can do their jobs better and more effectively, if they could be free from some of the Federal red tape—however well-intentioned—that accompanies some of our Federal education grants.

If there has ever been a time to invest in our children it is now. Our Nation is locked in a global competition in which victory will go not to those nations with the greatest natural resources, but to those with the greatest human resources. Victory will go to those nations which have a workforce that is skilled, educated, and able to meet the technological challenges of the next century. The link between a nation's economic prosperity and its commitment to education has never been more clear than it is today.

Several studies show that America's children perform near the bottom in academic achievement as compared with other Western countries. Children in Germany and Japan attend school approximately 240 days per year as compared to 180 here in the United States. The United States spends 4.1 percent of its gross domestic product on elementary and secondary education, trailing 13 other industrialized countries, including Germany, Japan, Canada, France, and Great Britain. While I hope that we can take immediate steps to lift us out of this recess-

sion, our ultimate economic prosperity lies in the ability of our children and schools to achieve the national education goals. To accomplish this, we must undertake fundamental reform in our schools.

In recent years, the issue of school reform has been a turbulent one in my State. New Jersey has had to grapple with such difficult issues as school financing and slumping academic performance. However, New Jersey has not stood still despite these ominous problems. Parents, educators, teachers and the business community have come together to improve our schools through new and innovative approaches.

There are many examples of innovative schools in my State. For example, the Bergen schools are experimenting with distance learning via telecommunications, Atlantic City is conducting a business partnership program with its public schools, the Montclair School system has adopted a creative Magnet School Program and the State is in the process of adopting a comprehensive school-based social service program.

In addition, a Quality Education Commission established by our governor has recently made recommendations about educational requirements that will address the needs of New Jersey's children, communities and businesses in the year 2000 and beyond. The Commission was made up of parents, teachers, administrators, business leaders and academics. This Commission has proposed lengthening the school year from 180 days to 220 days, offering voluntary public school education starting at age 3 and testing school-based management, in which teachers and administrators closest to the kids themselves, in the schools, are given the responsibility and the authority to make the decisions to achieve the results we all want for our children.

Mr. President, it is clear that there is plenty of ideas and proposals for innovative school reform percolating up through the system. I am convinced that the best type of school reform has and will come from the local level. Quality school reform should not come top-down from bureaucrats in Washington.

S. 2 can further drive the type of innovative educational reforms that is currently going on in New Jersey schools. The Neighborhood School Grant Program will make funds available to local school districts to develop new approaches to education that are consistent with our national education goals.

The time for talk is over. It is time to enact this legislation, to support reform in our Nation's schools, to move further toward achieving our tough national education goals. Only by meeting those goals can we ensure our future prosperity.

#### ADMINISTRATIVE COSTS IN S. 2

Mr. BRADLEY. Mr. President, I thank the managers of this bill for accepting an amendment that will let this bill serve the purpose for which it is intended: rebuilding our schools.

While we despair that our Nation's schools are not up to the task of educating kids for a competitive world, we in Washington are constantly reminded that the Federal Government's piece of the Nation's school system amounts to only 6 percent. To improve schooling nationwide, we must look for a way to use that piece as the most powerful lever for change at the level of the school and the classroom. That means doing much more than throwing money into school systems.

The bill before us, the Neighborhood Schools Improvement Act, is one response to the quest for a way to use limited Federal resources to make a bigger difference in all 85,000 schools in America. It reaches directly into schools with the means for change and holds schools accountable for results. But in the bill as drafted unfortunately constrains the resources available for change even further because of its excessive allowances for administration and assistance with grant applications. If this bill were fully funded for 5 years, fully 32 percent of the funds would go not to schools but to administrators and grant application professionals. Can we really tell the American people that we are improving American schools when we are putting more than a billion dollars of their money into bloated administrative layers at the State and local level?

The bill as reported allows every State to use its entire first year allotment to develop a State school improvement plan and help schools prepare grant applications. Nearly a decade has passed since Secretary Bell released "A Nation at Risk." Are there really States that have not yet given serious thought to systemwide education reform? If there are such States, and I doubt there are, they need to come to terms with their own economic obligation to themselves, and they should not need a Federal hand-out to do that planning. This amendment will limit the funds available for first-year planning and grant applications to the \$100 million already appropriated. It does not affect the special rule under which States can use first-year funds for teacher training or for public school choice initiatives.

Federal money does not come with-out responsibilities. States must become partners with the Federal Government and share our commitment to reform. The funds provided under this bill should mesh with the resources forward-looking States are already devoting to school improvement so that everyone's money goes a little further. But as much of this new Federal money as possible must go to making these

plans real in each school and each classroom.

Mr. President, this amendment might seem to deal primarily with a technical aspect of this bill. But I intend it to be a first step toward a new principle for the Federal role in education. The principle of accountability must apply at every level. To use the Federal Government's 6 percent of America's school system as a powerful lever for change, we must insist that there will be no more money until there is a commitment to reform. We can use our resources not only as a means for change, but as an incentive for determined, responsive change. We should not use our limited funds for a year of planning, conferring, preparing grant applications and in other ways postponing real reform.

The second step will be a bill I intend to introduce later this spring, which I will call "Rewards-for-Results." I believe we can reach directly into each classroom with a powerful incentive: If your school improves student performance, if students stay in school and come out ready for college or the workforce, we can give every teacher in your school, a \$6,000 bonus. This proposal will take some careful thought, but I mention it today because I would like to affirm the principle that we use money to force real reform in school systems that fear change but cry out for the enthusiasm that only change can bring.

Mr. BAUCUS. Mr. President, I rise today to express my deep concerns relating to the education of our country. What we are talking about is the future of America. We cannot set a goal too ambitious for American education, it's the ultimate foundation of our society.

Our world is highly competitive and driven by an increasingly complex international economy. In order to survive in the world economy, we must establish high goals for our students, and then set standards for their achievement. Dedication to the six national education goals as outlined in this legislation puts us on the right track.

This is also the time to be resourceful and innovative. To encourage teachers to seek out new methods which inspire students, their parents and communities. Education is an investment that returns dividends not only to individuals, but to society as a whole.

It is also not a one shot proposition. It must be a lifelong commitment. As old jobs change and new ones are created, we need training programs to maintain a competitive workforce. Maintaining an educated workforce is much easier to do than generating one anew.

We know that an educated workforce is the key to restoring our economic competitiveness. Our success at remaining competitive depends upon a



population that is highly trained and technically literate.

This is particularly true in the areas of science and mathematics, where the global economy demands that each student reach higher levels of competency.

Some States are already working toward this goal. For instance, in my State of Montana, a group involving university level math educators, the Montana Council of Teachers of Mathematics, and the Office of Public Instruction, is working together to design new approaches of teaching math to elementary and secondary students. This is the type of initiative, resourcefulness, and interaction we need to promote across our Nation.

Because of the need to meet these increasing demands for excellence, we cannot afford to decrease funds for public education. We must renew our commitment to investment in education; to the education of every citizen.

To move into the 21st century, all American schools need assistance. We can't pick and choose which schools, or which students, will benefit and which will not. They must all be given the opportunity to achieve their full potential.

Public schools are committed to the education of all Americans and we cannot fail in our support for this commitment. We must all pull together—Federal, State, and local governments—businesses, parents, and communities.

Creating an environment for academic excellence and high standards of educational achievement must be our highest priority. This bill moves us significantly forward in this direction.

"FREEDOM OF SPEECH ON CAMPUS" AMENDMENT

Mr. KENNEDY. Mr. President, all of us agree that college students should enjoy the full right of freedom of speech protected by the first amendment. This is a matter of principle that our colleges and universities fully embrace and that no one would question. Senator CRAIG has introduced a freedom of speech on campus amendment which reaffirms the Senate's commitment to assuring that first amendment rights be protected for all members of the university community. This amendment was included in the manager's amendment yesterday and I wanted to describe the purpose of this promotion.

During the past decade there have been increasing reports of sexual, racial and ethnic harassment, and intolerance on college campuses. As student bodies have become more diverse, so too have students' demands for changes in curriculum and campus attitudes regarding multiculturalism and diversity. In 1990, the National Institute Against Prejudice and Violence reported that since 1987 more than 300 college campuses have reported incidents of racial, ethnic, and homosexual harassment. The Justice Department

reported more than 100 incidents of racial harassment on college campuses in 1990.

In response to these incidents, a few colleges have issued statements or adopted codes prohibiting racial and sexual harassment and emphasizing the need for civility and tolerance on campus. These codes are modeled after EEOC sexual harassment guidelines for the workplace.

If a code strays too far and violates free speech rights, it should be changed. At the same time, members of the university community cannot be required to tolerate threats of violence or other forms of verbal intimidation and harassment.

In adopting this sense of the Senate amendment, we do not mean in any respect to curtail the right—indeed, the obligation—of college and university officials to promote tolerance and understanding of the diversity of our society. College and university officials should be encouraged to condemn racial, religious or sexual harassment directed at particular members of a college or university community or take disciplinary actions where appropriate. In addition, we do not mean to prevent colleges and universities from taking appropriate measures to protect the rights of speakers on campus against efforts to disrupt their speech by members of a college or university community or by outsiders.

One of the principal goals of our colleges and universities is to advance and disseminate knowledge. To do so, they must promote conditions conducive to teaching, scholarly activity, reasoned and civilized discourse, and a sense of community.

Mr. KERRY. Mr. President, I want to take a moment to offer some comments on the Neighborhood Schools Improvement Act.

The question of improving American education ought to be beyond the point of contention. We all agree that something needs to be done. We all agree that the active involvement of many elements in a community, from parents and teachers to community and business leaders, creates a stable foundation for meaningful reform and tells children in that community that everyone is concerned about their education. The question, then, is how can the best of American education reach the broadest number of children and have the greatest impact on today's educational environment. I believe that the Neighborhood Schools Improvement Act is an important part of this process.

This bill will place Federal funds at the local level, where they can directly impact the educational needs of children. Few understand the needs of students in schools better than those who live in the communities where the schools are located. Rather than dictating from Washington or from some

panel lacking expertise in or sensitivity to the needs of their schools, S. 2 recognizes that teachers, principals, parents and the local community can best devise plans to enhance their schools.

S. 2 also recognizes that any proposal to improve the education of America's children should directly and exclusively benefit public schools. Many of us are no doubt troubled by the studies that indicate that our public schools are places where textbooks and equipment are inadequate, teachers are in short supply and social problems like drugs and violence are finding their way past the schoolyard gate. We are repeatedly told that test results indicate that American students score below their counterparts in Japan and Europe in mathematics and science. Annually, we express concern that SAT scores are declining or at best remain constant. Nevertheless, public schools are the place where communities can decide, for any and every child in the community, what constitutes a comprehensive education. Public schools remain responsible for the education of the vast majority of our children, but more importantly they must answer to the communities they serve.

I am troubled by the idea that public schools are so irredeemable that the only way effectively to reform education and improve educational opportunities for our children is to create new schools or school systems. We must not forget that public schools were created by local governments attempting to address several concerns, including the need for a skilled work force, the value of an educated citizenry and the importance of providing a universal experience for children whose origins may have been very different. Therefore, public elementary and secondary education has been recognized as the responsibility of the State and local governments. The Federal Government has provided and should continue to provide a supportive and coordinating role in public education, offering resource and financial assistance. I believe it would be a mistake to challenge that philosophy by Federal preemption of the State and local government role in determining local education policy. The Neighborhood Schools Improvement Act acknowledges the responsibilities of the Federal, State, and local governments in the area of education and recognizes the importance of maintaining that balance and I enthusiastically support it.

I am also troubled by the idea that public schools are so terrible that the best way to improve the educational opportunities for our children is to provide vouchers to send them to private schools. To spend public money directly or indirectly for programs in schools beyond public accountability, or lacking in a history of educating a

broad array of students, is not the wisest use of precious resources. After all, what will we say to the children if they want and are academically able to continue in a private school, but that school no longer wants to participate in a voucher program or demonstration project?

To those who would claim that the only way to bring substantive reform to education is to create new schools, I would tell them about Albert Holland and the Jeremiah Burke School in Roxbury, MA. This public high school has 750 students. Many of the students are immigrants and do not speak English, nor do they enter school performing work at their grade level. The school does not have a librarian and has only one guidance counselor. The teachers have told me that they sometimes do not have enough books for all of the students in their classes. Despite all of these obstacles, during Al Holland's tenure as headmaster, the percentage of students going on to higher education following graduation has risen from 23 to 65 percent. The Jeremiah Burke School has been transformed into an academic haven for its students. It is not hard to imagine what this school or others like it could accomplish with additional resources.

I also believe it is important to comment on another issue in education not addressed in this bill, yet terribly important. While assistance is provided to the Nation's schools, it is vital that we strengthen the teaching profession. College students should be encouraged to become teachers through a loan forgiveness program. Professionals in other fields, particularly science- and mathematics-related areas, should be able to participate in fellowship programs which bring their expertise into the classroom. Teachers currently in the system should be able to avail themselves of training opportunities for professional development which also benefit their students. Incentives should be provided to bring talented teachers into educationally underserved areas, whether in the inner cities or rural communities. Communities and educators stand ready to bring innovations and reform to many public schools across this country. Teachers are the people who ultimately will make those efforts successful. The Neighborhood Schools Improvement Act correctly addresses the needs of students in our public schools as the initial step toward educational reform. As we move forward in the Senate to consider other educational initiatives, it will be appropriate to address these additional areas of significant concern. The Committee on Labor and Human Resources has included provisions of this sort in the Higher Education bill it has reported for Senate floor action. I look forward to taking up and acting on that bill.

Before closing, I want to commend the Senate's Committee on Labor and

Human Resources and its Subcommittee on Education for their work on this bill, and in particular, my colleague, the senior Senator from Massachusetts [Mr. KENNEDY], and the distinguished senior Senator from Rhode Island [Mr. PELL], respectively the committee's and the subcommittee's chairmen. They and the committee's and subcommittee's members have labored in earnest to craft the bill before us. They are to be commended for a job well done.

I hope the Senate will give overwhelming support to S. 2 and that it soon will become the law of the land.

Mr. KERREY. Mr. President, I am pleased that the Senate is considering legislation to provide specific measures to strengthen our education system. It is of vital importance that we target additional education assistance to local schools and school districts that are interested in implementing innovative and far-reaching restructuring.

The current legislation is linked in concept to legislation that I introduced last Congress, the School Restructuring Act of 1990, and similar in focus to my Education Capital Fund legislation that I will be reintroducing in the coming month. If we are truly to "break the mold" and bring about real change, we need to foster the most innovative local proposals that have been developed by dedicated teachers, administrators, parents, business and community leaders.

All over the country change is occurring. Federal officials and politicians should not be trying to favor one reform strategy over another. Rather, we should go to the local communities and offer to work with them on their solutions. We need to offer long-term assistance that recognizes that real reform is not the result of a 1- or 2-year grant, but must be fought for and nurtured over the years. We also need to move beyond a project by project approach by supporting systemic reform. Only systemic reform will allow us to really break the mold and make sure our schools are ready for the 21st century.

We need to go to local school districts and offer assistance in exchange for a commitment to sign a contract that stipulates what performance goals they will agree to achieve.

I am pleased that our educational policy is moving in the direction of supporting local answers to national challenges.

During consideration of this legislation there has also been much discussion of how to remove Federal obstacles to reform. There is a growing sense that educational bureaucracies and vested interests are threatening to stall the growing reform movement. Therefore, I applaud efforts to lighten the regulatory burden so long as we do not undermine the gains we have made in terms of equity and fairness. If we

are to succeed in the long run we must ensure that our assistance gets to the students and is not diverted by bureaucrats.

I oppose the proposal offered by Senator HATCH to establish a voucher demonstration program for private and public schools. I do not believe we should divert public funds for private education. Further, the Federal Government should not be advocating particular reform strategies. We need to have faith in local officials, parents, teachers and others and realize that they will come up with appropriate solutions. Our role should be to assist promising solutions, not to choose particular solutions. It would be a grave error for us to go against the grain of our locally controlled educational system.

As we prepared to address these crucial education issues, we should do our own homework. We should increase our own knowledge and awareness of what our children must receive from their schools and how our schools and how our communities might respond by reading three current and most informative books: First, "Smart Schools, Smart Kids," by Edward Fiske, former educational editor for the New York Times; and second, "Savage Inequalities" by Jonathan Kozol, former school teacher and noted education analyst; and third, "Horace's School," by Dr. Ted Sizer, one of the most innovative education reformers in our country.

Passage of S. 2 is not all that is needed to reform our education system. We will need to consider additional steps in the coming year when we turn to reauthorizing the Primary and Secondary Education Act. I also plan to offer legislation next month that will propose a new kind of federal partner and a venture capital fund to assist local efforts. I welcome the continued debate on our Nation's education policy.

Mr. SIMON. Mr. President, I rise in support of the Committee modification of S. 2, the Neighborhood Schools Improvement Act.

I commend the chairman of the Labor and Human Resources Committee for his hard work in developing a proposal that will drive money to schools—not to bureaucracies—to spur real innovation and significant improvement in the schools that need it the most.

The Neighborhood Schools Improvement Act authorizes \$850 million, less than the cost of one B-2 bomber, for school-based projects designed to meet the National Education Goals. These grants are designed to leverage real reform. It is a competitive program, in which the schools must design comprehensive plans that will lead to real improvement in measured student achievement, and other progress toward the national education goals.

A portion of the funds may be used by the State for necessary activities



such as teacher training, or experiments with ideas such as new public schools or parental choice among public schools.

This new version of S. 2 incorporates and expands upon many of the ideas that I included in my S. 1371, the Partnerships for Chicago Schools Act. For example, both bills encourage cooperation among the many entities interested in school reform. At the statewide level, the Neighborhood Schools Improvement Advisory Council, which works with the State education agency to prepare a reform plan, must be broadly representative of the population of the State, including teachers, school leaders and parents from the neediest schools. At the local level, community-based organizations and local businesses, as well as teachers and parents, must be involved in developing the reform project and application for funds.

Like S. 1371, the comprehensive projects that can be funded include school-based management, teacher training, and parent involvement. Furthermore, a program that works at one school would be shared with others.

While the Neighborhood Schools Improvement Act is a significant step forward, there is much more that the Federal Government can and should do to help this Nation meet the national education goals. Title I of the bill details some of the commitments, some of the leadership, that the Congress and the President must show. For example, the goals call for all children to start school ready to learn by the year 2000. But the Nation's best hope for meeting this goal, the highly successful Head Start Program, does not come close to serving all of the eligible children. On school dropout prevention, student achievement, science and math, violence and drugs, and teacher training and recruitment, programs are cited as vehicles for making real progress toward goals that have so far been 99 percent rhetoric.

Finally, Mr. President, if we are to succeed in achieving the national education goals, we must have better information about where we are, where to go, and how to get there. My colleague from New Mexico [Mr. BINGAMAN] has been relentless in his effort to ensure that the national goals panel be without partisan tilt and provided with the resources to do a good job. I am pleased that over the past few weeks the administration and the Governors have consented to some changes in the goals panel to achieve this end.

Mr. President, we have heard enough words about the need to spur innovation and improvement in our neighborhood schools. This bill is more than words, it means action. I urge my colleagues to support S. 2, and to oppose efforts to weaken its commitment to the improvement of neighborhood public schools.

Mr. WALLOP. Mr. President, when the Bush administration first submitted its America 2000 plan for educational reform, the Democrats willingly offered to both sponsor and craft a bipartisan proposal for improving academic achievement. But after little more than a cursory review of school choice and other administration goals, those same Democrats who touted their cooperative spirit soon walked away from the bargaining table. While the administration sought compromise, the Democrats worked only among themselves and bulldozed an education bill through the Labor Committee. Today we will vote on that same educational agenda which lacks any semblance to the President's proposal. The administration negotiated in good faith; the Democrats assumed that if we were willing to bargain that they were right and we were wrong.

Mr. President, this has happened time and time again. It happened with the 1990 budget agreement. It happened with the Clean Air Act and it happened with the civil rights bill. This education bill proves once again that any attempt to forge a bipartisan compromise on important issues will be purged in favor of bureaucracy and unions; job creation, economic or educational reforms will be sacrificed at the political altar.

Yet the Democrats brought their own education bill to the floor knowing full well the administration would seek to restore some of its America 2000 initiatives. And once again, the Democrats claimed their willingness to bargain on private school choice and New American Schools amendments. But, Mr. President, let us not be fooled. The New American School provision omits a competitive funding program to include private schools and our efforts to permit merely a demonstration project for private school choice were soundly defeated. But why?

Many members on the other side contend that we should not divert taxpayer dollars away from the public schools; that the public schools are in trouble and need our help. The chairman of the Labor Committee asserts that anyone who pays taxes should only send their child to public school; it is public taxpayers' money. Mr. President, that is exactly the point. All taxpayers should have the choice to use their tax dollars to send their child to a school they desire, public or private, when the education value of that child is the issue. Clearly when NEA power is the issue, the interest of the child is not.

Yet under this version of S. 2, parents of low-income children will be denied a chance to be involved and held accountable for their choices in education. Education begins at home. Parents instill discipline and responsibility in their children and more often than not parents are the first to teach

their children how to read and write and discern right from wrong.

But those same parents will not be allowed further responsibility in deciding how or where to develop the knowledge, curiosity, and imagination of their children. And those children have lost a tremendous opportunity to test a choice program which could have made great improvements in our educational system. Are we as a governing body so arrogant as to think that we know more about what is best for the education of children than their parents?

The U.S. population census recently found that public school teachers enroll their kids in private schools at over twice the rate of the national average. In fact, 46 percent of Chicago public school teachers enroll their children in private schools, 33 percent in Washington, DC, and 30 percent in Atlanta compared to 16 percent of the general population. One can only assume that public school teachers know something the Senate refuses to know. Yet other parents are denied the same choice.

The opponents of private school choice argue that Federal funding for education has declined and our public school system has suffered as a result. Mr. President, that is simply not true. We spend 33 percent more per pupil in 1991 than we did in 1981, yet we have seen little, if any, real improvement in school performance. The Labor Committee chairman would have us believe that Chapter 2 funding could be used by any State to develop a voucher system for valuable educational programs. But what he fails to point out is that same Chapter 2 funding is only for public schools.

So I ask my colleagues, what was the real reason for defeating a \$30 million school choice demonstration project? Two words come to mind. Excellence and innovation. But obviously those on the other side of the aisle only seek to control reform and along with it the pursestrings. That kind of educational leadership benefits no one but the special interest establishment.

Mr. President, I cannot support S. 2 in its present form. It is, as President Bush has said, "business as usual." Under S. 2, most schools will receive only \$1,000 more a year to develop the so-called Neighborhood Schools Improvement Act. This small sum is intended to be used to implement significant, comprehensive, schoolwide changes in the structure or programs of each school. My guess is that those funds will only be used to cover administrative costs and, once again, we will see little real academic achievement from our Nation's public schools. So with that the Democrats are attempting to make a big political splash, but our children will get no education bang. We are throwing good money after bad and the innovative educational goals of this administration

have gone out the window with them. But more importantly, we have ignored some of the most basic principles upon which this Nation was founded—the exercise of fundamental freedoms and the promotion of the public welfare.

Mr. COHEN. Mr. President, I am pleased to support the legislation before us, which will further our national efforts toward education reform. This bill is one of several steps necessary to ensure that the children of today are prepared to meet the challenges of the 21st century and enhance our Nation's status in the global marketplace.

It is clear, Mr. President, that our educational system needs substantial rejuvenation—in terms of both resources and ideas. This bill will provide much-needed resources to existing public schools and State education agencies so that they can institute the reform measures that would be most effective in their areas. These funds will be welcomed at a time when most local school systems are facing budget cuts at the State level. When funds are scarce, the most immediate needs take priority, and few education dollars are left for ambitious new reforms. I hope these new Federal funds will provide States and local schools with the resources they need to brainstorm and implement innovative approaches to elementary and secondary education.

I am also pleased that the Senate has grasped this opportunity to provide leadership in offering incentives to States and local schools to develop fresh, new approaches to education. The status quo is not working anymore—few Americans will dispute that fact.

A major step toward reversing this downward trend was taken when the Senate endorsed the New American Schools originally envisioned by President Bush in his America 2000 proposal. The idea of creating break the mold, start from scratch schools has certainly caught on in my home State of Maine, where the Commissioner of Education, school teachers and administrators, parents, and business leaders alike have raised their voices in support of this new approach.

I have heard from several public school teachers and administrators in Maine who are eager to apply for these funds so that they can begin a whole-sale education reform effort in their communities. The interest is certainly there at the local level, and I am pleased that the Senate has given those schools the opportunity to apply for these grants and to begin that process.

The New American Schools proposal is precisely the kind of forward-thinking boost that the Federal Government ought to provide to our Nation's educational system. I think that we should continue to pursue means to get at the very root causes of some of our schools' problems, however, as money is not the only solution.

Parental participation in a child's education, for example, is an invaluable component of our national education system. A child that has not had the benefit of parental attention to his or her physical, emotional, intellectual, and moral development comes to school with a distinct disadvantage. Our schools cannot be expected to enact radical reforms when they are burdened with equalizing the learning levels of children in the earliest school years. Senator BOND's parents as teachers bill, which I cosponsored, would have been a very appropriate addition to this legislation, and I hope that we will have the opportunity to pursue this issue at another time. Senator BOND's legislation would help parents learn the valuable skills they will need as parents, and indeed, as their child's first teacher.

The Neighborhood Schools Improvement Act that the Senate has adopted today is an important step in what will be a long road toward true education reform. I am pleased to support its passage.

Mr. SANFORD. Mr. President, I will vote for this sense-of-the-Senate, to take Defense funds for schools, but I do not want it to become nonsense. I do not want to see us bashing the military. Everyone expects the military to be cut, and it ought to be. But cuts should not be made too quickly and recklessly or without considering that this is a big country with huge defense responsibilities. In looking at our history, it is all too obvious each of our previous military build downs after World War I, World War II, Korea, and Vietnam respectively, were too extreme. The price we often paid for that was in lives, the lives of our service men and women.

We will have military cuts. I believe part of the funds from those cuts must be used to get the massive debt under control. Certainly some savings should be invested in education, science, and other programs. We must remember spending on educational and science programs are also an investment in our military infrastructure. The men and women of Desert Storm operated the most sophisticated military equipment in the world. They are better educated and motivated than any force in our Nation's history. Nearly 100 percent of our active duty military personnel have completed high school while only 75 percent of Americans are high school graduates.

Our priorities must remain on the recruitment and retention of the best men and women to serve in uniform. The equipment they use and train with must also be the best. A military build down will come. The cost should not be the lessening, to any degree, of our military capabilities to meet the future needs of and threats to our national security.

Mr. CHAFEE. Mr. President, we have all heard the reports about the state of

our Nation's education system. Studies show that our high school graduates often lack the skills necessary to obtain entry level employment, and more alarmingly, that our students lag behind those of other nations in math and science ability. These two areas are crucial to the success of our Nation in the global marketplace.

As painful as these observations are, they have led us to direct tremendous energy toward reforming and improving our schools. S. 2, the bill before us now, would create a 10-year program of grants to States to assist local school districts and individual schools in implementing comprehensive reform. While I agree that appropriate funding is necessary for education initiatives, this is an ambitious program to embark upon when several proven education programs now in existence are not adequately funded to serve all eligible students.

The measure, however, does incorporate new ideas, such as New American Schools and regulatory flexibility, and it provides a basis for further discussion on education reform. For this reason, I am supporting S. 2, but not without reservation. It still requires much work. The House has not completed action on its version of the bill, which differs considerably from S. 2. Then a conference committee must reconcile difference between the two measures. So while I am supporting S. 2, my vote today does not ensure my vote for the conference agreement. Let us see what final emerges. Then I can make a final judgment on its merits.

#### THE NICKLES LEARNFARE AMENDMENT

Mr. ROTH. Mr. President, the objective behind Senator NICKLES' Learnfare amendment is commendable. I think that no one in this body would dispute the need for parental involvement and personal responsibility as essential for any meaningful progress to be made whether it be in education or welfare dependency or the war on drugs.

Senator MOYNIHAN will be holding hearings on February 3 in the Finance Committee to examine issues similar to those raised by this amendment. Our States are laboratories for innovations to bring constructive changes in the welfare system and it is my understanding that Senator MOYNIHAN's purpose is to learn about the new ideas and directions which States are looking at to make modifications in the AFDC Program. I think the Federal Government as a partner is the AFDC system with the States can work with the States to develop and implement new model programs. In this way we can proceed in a thoughtful manner to improve our welfare system and strive to assist the beneficiaries of the system in ending welfare dependency and achieving educational attainment.

We should not impede progress in this area. I believe our States—on the front line in the management and de-



livery of services—will be sensitive to the special needs of dysfunctional families, a concern which Senator KOHL raised. We can learn from the experiences in our States. I support the amendment of Senator NICKLES.

Mr. HATCH. Mr. President, in the last week, we have heard a lot about education reform, accountability, innovation, and flexibility. However, the result of all that talk has produced a bill which is a less innovative approach to education than we would have had if more of the President's proposals had been included.

This bill authorizes a block grant, a Republican concept, which allows States to use funding for a variety of activities. I basically agree with that approach. The bill also recognizes that change will occur school by school, which is something each of us understands is necessary.

However, although the bill incorporates some of the President's program, it does not include all of the major reforms he sought. And, those Presidential initiatives that did find their way into this bill were significantly watered down from the original proposal.

The compromise on New American Schools allows States to use up to 25 percent for this purpose. While this compromise is much less than President Bush's original proposal, I think it is essential that this program is in the bill.

Many have mocked President Bush's goal of being the education President. All I can say to my colleagues is that at least this President has a vision for the future of education. That vision includes New American Schools. New American Schools are what our schools can become. They are the cornerstone of America 2000, a forward-looking program which helps us improve schools one community at a time. Too slow, some may say, but Mr. President, deliberate change and thoughtful innovation is better than no change and no innovation. New American Schools represents an opportunity for parents, educators, business, and community leaders to create the schools of the future. I commend all of my colleagues, on both sides of the aisles for allowing this program to go forward, at least in part.

This program can help every State, and I am pleased that this new program will be available to Utah. My home State has never been afraid of trying something different. Utah is currently experimenting with nine model high schools, incorporating vocational educational with academic training. A lot of effort is being focused on these schools.

A compromise was also reached on education flexibility to allow 50 districts in each of 6 States to have more flexibility in administering Federal programs. If schools are to change and

meet student needs, they must have the flexibility to meet the needs of students and teachers. This bill allows States to have this flexibility. Utah has already made strides in education flexibility by removing restrictions on State funds. This started as a pilot program with six districts and has expanded to all districts. This increased flexibility at the Federal level will help Utah in its efforts to serve our students better.

I appreciate the incorporation of some of the concepts of New American Schools and educational flexibility into S. 2. However, I am disappointed the Senate failed to approve a very modest choice demonstration project. The choice amendment provided low-income families with an alternative in education while giving us the opportunity to evaluate the effects, both positive and negative, of including private schools in a choice program. I believe it was very shortsighted for the Senate to reject this demonstration.

We should study all options that may result in improved schools both public and private. Rhetoric doesn't appear to have changed a significant number of inner city schools in the last 10 years. My amendment did not incorporate wide-sweeping changes; it funded only six demonstration projects. I believe my amendment held the potential for real reform if the demonstration proved successful. But, the message this body sent when it voted down the choice demonstration amendment was a simple one: "Let's not experiment with choice because it might work, and that would rock the boat."

I am also sorry that we did not change the Chapter 1 formula. While I am grateful for the willingness of both Senators PELL and KENNEDY to review this issue more carefully as we move into the reauthorization of the Elementary and Secondary School Education Act, I want to reiterate how important this issue is to the 28 States whose low-income children are somehow worth less than low-income children in other States.

This must be the congressional new math. I look forward to correcting this formula problem very soon.

I had hoped that we could have achieved more in this bill. I personally believe it is time we in Congress look at some bold, break-the-mold approaches in education. This bill falls short of such reforms, but at least the compromises in New American Schools and education flexibility are a small step in the right direction. I hope that in the future we can implement more of the President's ideas so that we can motivate and empower our communities to create educational systems that truly meet the needs of all our children.

Mr. DURENBERGER. Mr. President, I rise in support of final passage of S. 2 as amended, the Neighborhood Schools Improvement Act.

As I pointed out as we began this debate, it is an important and powerful statement about priorities in this country that legislation designed to improve the quality of American education is the Senate's first order of business in this second session of the 102d Congress.

I want to commend the senior Senator from Massachusetts for his leadership in bringing this legislation to the floor and for his patience and willingness to consider several important amendments which are now a part of this bill.

The biggest single improvement in this legislation is that it now allows up to 25 percent of funds States will receive to help start new schools.

I strongly believe that an essential component of real education reform in this country must be the design and implementation of new, more diverse, and more individually tailored sites for teaching and learning.

This legislation now gives States additional resources to make that happen, including the establishment of the kind of break-the-mold New American Schools first proposed by President Bush and Education Secretary Lamar Alexander in the President's America 2000 initiative.

I am especially pleased, Mr. President, that this legislation now allows charter public schools—as authorized in Minnesota and being considered in a number of other States—to receive startup funding.

I want to again thank the distinguished Senator from Massachusetts for his willingness to add language that allows States to use up to 10 percent of their block grant to help establish new public schools, including charter schools.

I am also pleased that an amendment was adopted allowing an additional 15 percent of each State's block grant to be used for New American Schools as originally proposed by President Bush. The language used to define New American Schools in this amendment makes it possible, in Minnesota at least, that these could be charter schools or schools initiated by public school districts.

Finally, Mr. President, I am pleased that language has been added to S. 2 that specifically authorizes States to use a portion of their block grant for student assessment and parent information and referral programs. In Minnesota such a program is now being developed—called School Choice Advisor—that will help both parents and students make better informed school choices.

Having made those observations about improvements in S. 2, I must also say that I am still disappointed that the legislation before us bears so little resemblance to the America 2000 initiative unveiled by President Bush and Secretary Alexander last May

while they were visiting the Saturn School in St. Paul.

I have spoken several times during this debate about the educational innovations and achievements that have emerged from my own State of Minnesota. And, I am pleased that several of those innovations are now eligible for funding under S. 2.

Education reform has come as far as it has in Minnesota, Mr. President, because Minnesota has been a source of many good ideas for improving teaching and learning.

But, education reform is also succeeding in Minnesota because it has been bipartisan.

We can learn from that experience, Mr. President. And, I am hopeful that before this legislation becomes law at least some of the inspiration and good ideas we saw from President Bush and Secretary Alexander last spring will become part of a very needed statement of national support for new schools—and for better ways of teaching and learning—all across America.

I yield the floor.

Mr. RIEGLE. Mr. President, today we are considering one of the most important bills that will come before the Congress this year, S. 2, the Neighborhood Schools Improvement Act. This legislation takes important steps to strengthen education in this country.

No one questions the importance of a strong educational system for America's future. Since the end of World War II the world has undergone radical and dynamic changes—the disintegration of military powers like the former Soviet Union and the birth of economic powers like Japan and Germany. Overall, democracy has caught fire and spread around the world making way for the development of a global community. America's role in this transformed community of nations has also changed as new and pressing domestic needs challenge our economic strength and position in world leadership.

For the America of today, it is essential to concentrate our efforts on keeping our country strong and competitive. A strong educational system must be a fundamental part of this effort. Only by making high-quality education available to all American children will we help them to develop the skills they need to find meaningful, high-wage jobs, while developing a capable and productive work force that is essential to the economic future of this country. There are many pieces to this; we must make sure children are ready for school, that they are fed and healthy, and we must work to keep our children motivated so they stay in school, as well as provide them with the best possible education.

A Federal commitment to education is essential to this effort. Despite a lot of rhetoric from the White House on the importance of education, however, we haven't seen much real leadership

on making this commitment. Over the last decade for example, Congress has consistently appropriated more to educational programs than Republican administrations have requested.

We need to encourage innovation in educational programs, as well as cooperation among school districts and the communities they serve. It is estimated that U.S. companies must spend \$30 billion a year on remedial education for their employees. By the end of the decade, people with less than a high school diploma will be able to fill only 14 percent of all jobs, as compared with 40 percent today. Innovation is necessary to make the system stronger and more effective. Funding is key to improving education. The President implicitly acknowledged this when he proposed to spend \$535 million on New American Schools. I support efforts to improve education but I strongly believe that all schools should be able and encouraged to participate in this effort, not just a few select schools across the country.

There has been much debate about so-called choice programs to allow parents to select which school their children will attend. And several States including Michigan are experimenting with choice proposals. Choice programs, as they are called, are supposed to force schools to improve their performance as a result of competition. But problems arise when private schools are included. Public and private schools don't really compete on an even basis. Private schools, unlike public schools, can refuse to accept students with disabilities or discipline problems and are not subjected to the same requirements as public schools. Frankly, the President's broad choice proposal is not much different than the old educational voucher proposal with a new name.

As a cosponsor of the Neighborhood Schools Improvement Act I believe this legislation takes much-needed action to improve America's educational system. Through this kind of comprehensive approach we will enhance student performance, strengthen literacy programs, improve math and science and work toward drop-out prevention. The bill strengthens proven, cost-effective educational programs that will rejuvenate our educational system and better prepare America's children and youth for today's rapidly changing world.

Mr. BIDEN. Mr. President, we have known of the disrepair in our public school system for over a decade. We have known of the importance of innovative reforms in our public schools. We have known what works in educating our children.

Too often, however, we have failed to implement the needed reforms. Not because of a lack of will, but because of a lack of means. We have not provided our teachers and our schools with the resources they need to reach the goals we set for them.

The role of our educational system is taking on greater importance. Education is a cornerstone of our democracy and a basic ingredient of American prosperity. The modern international marketplace demands an exceptionally productive and competitive work force. We cannot afford to allow the potential of even one of our citizens to remain underdeveloped. It is not an act of charity; it is an act of economic necessity.

Will we in America rise to the challenge that has been set by economic competitors such as Japan and Germany? Will we commit to making all schools good schools, or will reparable faults remain? Will we provide equal educational opportunities, or will we allow a dual system to develop—one for the richest and brightest students and another for everyone else?

Our Nation will not and cannot abandon our public schools. But, our citizens cannot be expected to blindly support failed solutions or old systems. Yes, the public schools need more money. But, the public school of today is operating in a climate that has dramatically changed.

When I was in school, the divorce rate was not 56 percent; 57 percent of American women were not working outside the home; there were not 1.9 million kids living with no parent; one in six teenagers were not taking illegal drugs; and one in five children did not live in poverty. The landscape has changed, and so must public education. The challenges facing students, parents, and teachers are different than they were just a generation ago.

What we need, then, are new approaches—solutions that will prepare America's children for the 21st century; solutions for the technological age, not for the agricultural age. We need longer school years, magnet schools, site-based management, parental involvement in the schools, and reduction in class sizes. These are innovative reforms I have long supported and are reforms that will improve the education of American children.

That is what S. 2, the Neighborhood Schools Improvement Act, seeks to do, and I am pleased to support this legislation. This bill provides \$850 million to the States to assist reform efforts in local schools. Not for old ideas, but for innovative reform at individual schools.

That point needs to be underscored. Experience has proven that decisions on education policies are most responsive and efficient when made by local communities. Under S. 2, the reform will take place at the local school level. Each school—whether urban or rural, big or small—will be able to adopt those reforms that will best meet the needs of the students at that school.

The final version of this bill includes a modified proposal from the adminis-



tration regarding new American schools. New American schools is a good idea—providing seed money for new, innovative, break-the-mold schools that will prepare our children for the future. However, I had concerns about the original proposal that came before us, and I want to commend my colleagues for fashioning a compromise that allowed the new American schools proposal to be included as part of the bill.

Let us not be under the false notion, however, that new American schools is the only innovation in this bill. S. 2 is not, as some claim, business as usual. The legislation the Senate has crafted is a good bill for our Nation's schools and for America's children.

Much of the debate on this bill has focused on the issue of school choice—in this version, allowing parents to send their kids to private schools at public expense. Senator HATCH offered an amendment to create a \$30 million, six-site private school choice demonstration project. I support the underlying concept of school choice, but Senator HATCH's amendment varied too far from the approach I would support.

Innovative proposals for reform have often come from the private schools in this country. My concern, however, is that public resources should be targeted toward reform in public schools. Public schools are not being adequately funded and have not been provided the resources to carry out reform. We must focus on improving our public schools, which educate the vast majority—nearly 90 percent—of our Nation's children.

Education, or the lack of it, is something that we all know can help set the individual free or consign him or her to a lifetime of uphill battles. As a nation, the quality of our educational system can make us a world leader or relegate us to second class status. Our Nation is making a commitment to upgrading our educational system. And, passing S. 2 will be a good step toward providing a high quality education to all of America's children. This is not an easy task, and there are not simple solutions. But, the road to reform has begun. With the support of the American public, we can restore our educational system to a position of world leadership.

Mr. GLENN. Mr. President, there is no question that education reform has emerged as one of the top policy issues facing us in 1992. As a cosponsor of S. 2 the Neighborhood Schools Improvement Act, I believe this bill is a first step toward identifying the important role the Federal Government has in the education reform movement.

This bill outlines the Federal Government's commitment to our public schools, by providing seed money to local educators willing to implement comprehensive schoolwide education

reform. S. 2 sets six national educational goals and targets the year 2000 to reach them. The bill mandates that States devise a comprehensive education reform plan that will help achieve the national education goals. One of the most important aspects of this legislation is that individual schools design their own programs and submit proposals they think will improve academic achievement in their area. This gives States and communities the key decisionmaking role, not the Federal Government. Accountability is ensured as continued funding of the programs is based on progress toward the national education goals.

An amendment to S. 2 that I was prepared to offer was essentially the same as S. 685, the Summer Residential Science Academy Act, which I introduced along with Senator HATFIELD of Oregon. Respecting the request of the Labor and Human Resources Committee to not add new programs to S. 2, I did not offer the amendment.

It should be said, however, that until programs are designed that create systemic change in how we educate our children, our national goals and standards will remain unmet. Underrepresentation of women and minorities in fields related to science and mathematics and engineering is a problem of critical importance. We can no longer afford to underutilize our human resources if we wish to remain competitive in global economy.

The Summer Residential Science Academy Act would address the historical underrepresentation of minorities and women in scientific and engineering careers by providing additional hands-on training for female and minority 7th through 12th graders. The program would stress the multiyear program support and multiyear participation of students that would enhance the students science and mathematics education increase the chances of the selection of a mathematics, science or engineering career choice. I hope that the committee will favorably report S. 625 in the near future.

I have opposed the administration's amendments to this bill which would divert scarce Federal dollars from our public schools. I was glad to see that the private school choice demonstration project was not included in this bill. If this amendment were adopted students could attend private, religiously affiliated schools at taxpayers expense. I have consistently opposed attempts by Congress to encourage the use of Federal funds to support public funds to nonpublic education, whether in the form of tuition tax credits, vouchers, or now parental choice. This provision would have been the first step toward establishing a permanent, voucher program.

We have a system of public education in this country that is available to all children. If this educational system is

not producing the high level of achievement this Nation now needs, we cannot abandon them, but rather find ways to make improvements. I believe that the Neighborhood Schools Improvement Act, is a stronger proposal than the administration's America 2000, for beginning the necessary reform of education in this country.

#### LEARNFARE AMENDMENT

Mr. CHAFEE. Mr. President, I would like to take a moment to talk about the Learnfare amendment. I believe that the concept of Learnfare is a good one. Like many of my colleagues, I believe there should be some connection between government support and individual responsibility.

The idea of Learnfare is a good one, namely to tie a child's school attendance to a family's receipt of AFDC money. There is no question that the longer a child stays in school, the less likely that child is to become welfare dependent in the future. A high school diploma can play a major role in breaking the cycle of dependency, and we should do all we can to encourage children to pursue education.

However, I voted against this amendment because I am concerned that any punitive measures taken against a family be linked to increased social services. Very often truant children live in dysfunctional families where there are a variety of problems. If we are going to penalize these families for not keeping their children in school, we should also ensure that we do everything possible to provide the family and the child with the services they need to get them back in school.

That is the purpose of the waiver program, to tie the sanctions to social services. So, the families may lose something, but they get something in return. By keeping the waiver program intact, I think the Learnfare Program will be more constructive for the families. After all, our goal is not to punish families, but to help them.

#### WIRTH AMENDMENT TO S. 2

Mr. SPECTER. Mr. President, although I have been a consistent supporter of funding for education and job training programs over the years, I could not support the narrow focus of the Wirth amendment to S. 2. This amendment was a sense of the Senate that the 1990 budget agreement should be realigned to certain programs. As much as we need those programs, there are other vital areas—health, housing, the homeless, substance abuse programs, the environment, deficit reduction and tax reduction which deserve attention.

It should be noted that on September 10, 1991, I voted in favor of an amendment to waive the Budget Act for consideration of the Harkin amendment, which would have increased budget authority by \$3.148 billion for a broad array of education, health and human service programs. This amendment also

shifted funds from defense to domestic accounts.

Mr. President, I was not prepared to take up such an important issue at this time, without following the appropriate process. In my view, this issue should be considered by the Budget and Appropriations Committees, so that the Senate can develop a plan for the equitable distribution of savings realized through reductions in defense spending.

Mr. KENNEDY. Mr. President, inquiry, has the Peace Corps amendment been accepted? Have we completed final action on that particular modification?

The PRESIDING OFFICER. The Peace Corps amendment was modified. The modification was agreed to.

Mr. KENNEDY. I thank the Chair.

Mr. President, I ask for the yeas and nays on final passage.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, our action on the Neighborhood Schools Improvement Act is the first of what I hope will be several successful steps by the Senate this year to lay the proper Federal groundwork for improving education and revitalizing the Nation's schools. Our schools are primarily a State and local responsibility, but Federal leadership is essential, too, and it has been significantly and continuously lacking in recent years.

In the past decade the Federal share of spending on education has fallen by a third. Our failure to invest in early childhood development, education and job training has had severe consequences. A third of the Nation's children, as many as 2 million students a year, do not enter school ready to learn.

Two-thirds of the recent high school graduates lack essential skills to move into the work force. If we neglect our schools, we undermine our future. S. 2, the Neighborhood Schools Improvement Act, is a giant step on the road back. It authorizes \$850 million in fiscal year 1992, and such sums as may be necessary in future years to help struggling schools across the country to improve themselves and restore American elementary and secondary public education to the eminence they deserve.

There are five key features of the legislation. It will help thousands of local schools to improve academic achievement and not just 535. The schools that will receive the assistance will be picked by State officials, not by the Federal Secretary of Education.

For the first time strict accountability requirements are included. To retain their funding schools must show progress in the achievement of their students. Only public schools are funded. We rejected, for good reason, the deeply fought notion that Federal aid to private schools should be the heart of our Federal efforts to improve the public schools.

Above all, the proposals for reform will be developed at the level of the local school. Teachers, school leaders, parents, members of the community will participate in the process of designing and implementing the plan that will best meet their local needs. There is no one-size-fits-all model for education reform. The greatest strength is in our diversity, and out of our great diversity will emerge a new greatness for American Education.

Finally, I want to commend my colleagues who played a special role in achieving this success. I thank in particular my friends and colleagues Senator HATCH, Senator KASSEBAUM, Senator COCHRAN, who have very much been involved in the floor debate, as they have in the course of our committee deliberations, Senator JEFFORDS, and others, who have been involved in the substance and shaping of the legislation and who have been extremely helpful as we address some of the amendments.

I am deeply obligated to Senator PELL who is the chairman of the Education Subcommittee and has done more in shaping and fashioning certainly higher education than any of our Members and we thank him for all of the efforts. Also, other members of our committee: Senator SIMON, Senator METZENBAUM, Senator DODD, Senator HARKIN, Senator BARBARA MIKULSKI, Senator BINGAMAN, who had a key role in shaping the goals panel. All of them have been of great help and assistant in shaping the legislation.

I want to thank in particular our staffs for all of their help and assistance, and thank the majority leader for scheduling this legislation as the first order of business. It is the first order of business, I think, for millions of American families. I welcome the opportunity and the cooperation we have received from all of the Members to be able to get to this issue, voted on and resolved early in this session.

The PRESIDING OFFICER. The Senator from Kansas.

Mrs. KASSEBAUM. I think that one goal we all share Mr. President, in S. 2 is the improvement of our Nation's elementary and secondary schools. That is what unites us.

This is a point made by an editorial in this morning's Washington Post, which noted that specific controversies regarding this bill "merely marks a more widespread agreement: It's time to reach down to specific school districts and even to individual schools." The editorial goes on to point out that the President deserves great credit for keeping up "steady beat for reform," and—indeed—he does. This bill reflects in many ways a number of initiatives the President has been encouraging, and I believe that is one of the real strengths of this bill.

In the course of the debate on S. 2, several modifications have been made in the bill, and I would like to take a moment to highlight a few of them.

First of all, I am pleased that S. 2 now incorporate some of the reform proposals put forward by President Bush in the areas of New American Schools and education flexibility. I believe that both offer great possibilities. I would particularly like to thank Senator COCHRAN for his work with respect to including New American Schools activities in S. 2. Under the agreement reached, States which want to establish New American Schools may apply to the Secretary of Education for authority to waive the requirement that 90 percent of their funding allotment be distributed directly to neighborhood schools. Under the waiver authority, up to 25 percent of the allotment could be retained for the development of New American Schools.

This provision permits States which wish to do so to develop New American Schools. Across the Nation, hundreds of communities have begun the process by committing themselves to being America 2000 communities. Likewise, 31 States have embraced the goals of America 2000. Given the enthusiastic reception thus far on the part of States and localities across the country, I feel that many will want to pursue the option of creating New American Schools.

The bill also incorporates a proposal championed by Senator HATFIELD which would allow local education agencies to waive Federal regulations which impede the ability of teachers to focus on providing the best possible education for their students. This proposal puts teachers back in the decisionmaking role of deciding how best to teach their students.

During last year's Teachers and Principals of the Year hearing held by the Senate Committee on Labor and Human Resources, several teachers testified to the need to provide greater flexibility. Certainly, many Federal regulations are necessary and important. At the same time, teachers should not have to spend their time interpreting Federal regulations or figuring out how to work within their confines if they are actually a hindrance to good education practice.



One problem is that regulations are written for each separate Federal program, and the interaction among them is not always considered. Another problem is that not all school or teachers operate the same way, serve the same types of populations, or have the same problems in their communities. Our teachers, principals, and district superintendents are in a position where they can identify the problems with the regulations. This provision puts them in a position where they can do something about the problems as well.

The bill also makes a start toward dealing with the issues of educational standards and testing, which have been the subject of much discussion over the past year. It provides authority for the continuation of the State National Assessment of Educational Progress [NAEP] trial program, due to expire this year. That authority is needed at this time in order to permit advance planning for any future trials which Congress may authorize as part of legislation reauthorization of the Office of Educational Research and Improvement [OERI].

Providing the authority and lead-time to continue these trials will allow for a more complete evaluation of the uses of and interest in such trend data by participating States. Such an expansion also will provide the data Congress needs to help evaluate the feasibility, foresee the impact, and estimate the cost of a fully implemented State NAEP before we decide to move past the trial stage.

In addition, S. 2 adopts the recommendations of the National Council on Standards and Testing for starting a process by which broader questions of standards and testing can be addressed. I would emphasize, however, that this is the beginning of this discussion—not the end point.

If we are moving in the direction of developing national standards, we must have broad debate and consensus on what those standards should be. Teachers must have a major role in the development of the standards, they are the ones who will be implementing the standards by turning them into curricula and helping students meet the standards. They must be closely involved from the start of this process if we want to see wide-scale adoption of the standards.

As for the development of a national test, many difficult questions deserving of broad public debate remain. I continue to believe it would be a mistake to rush headlong into some type of national test or system of tests. We must be satisfied that such assessment is worth the time, effort, and money which would be involved.

As a matter of common sense, we must also make sure that we allow adequate time for teachers and students to adapt to and be exposed to new standards and any resulting new curricula

before we implement tests on them. Otherwise, we will have spent a lot of money to develop another test that shows our students performing poorly. If we choose to develop some type of national test or system of tests, I believe that the primary goal of the test or tests should be to improve teaching and learning and inform teachers and students. The Federal role should be one of informing the debate on assessment practices and supporting the local efforts.

With respect to school choice, I am disappointed that the Senate passed up the opportunity to create a small demonstration program which would have allowed us to get some solid information regarding the actual effects of school choice. The debate over choice will be both endless and pointless until such information is available to us.

Finally, the bill before us preserves the basic block grant structure which recognizes the key role which States play in education and education reform. Likewise, it maintains provisions designed to strengthen neighborhood schools. That, I believe, is a particularly important focus.

In conclusion, Mr. President, the real answers in education will be found outside Washington. I have strongly believed this, I suppose because of my days as a local school board member and my involvement with tutoring and various other programs at the local level. It is my hope, however, and I believe it is the case, that this legislation will be of assistance in the search for solutions by encouraging States and localities to seek improvements of local schools and to think boldly in terms of reform. That is what I believe S. 2 is all about, and it is on that basis that I strongly offer my support for S. 2.

Mr. KENNEDY. Mr. President, I know we are prepared to move to final passage, but I do want to mention the members of the staff on all sides that were very, very helpful. On our committee staff, Nick Littlefield, Terry Hartle, Suzanne Ramos, and Rusty Barbour. On Senator PELL's staff, David Evans and Ann Young. On Senator MITCHELL's staff, John Hilley and Kim Wallace. For Senator HATCH, Laurie Chivers. Senator KASSEBAUM might want to mention some.

Mrs. KASSEBAUM. I thank the Senator from Massachusetts. I would like to thank all the staff members involved with this bill. Many on both sides worked long hours to move this legislation through the process. On the Republican side, I would particularly like to thank Susan Hattan, Lisa Ross, and Sondra Nickel of my staff, Laurie Chivers and Corine Larson with Senator HATCH, Doris Dixon with Senator COCHRAN, Pam Kruse with Senator JEFFORDS, Rolf Lund and Carolyn Boos with Senator DURENBERGER, Kent Talbert with Senator THURMOND, and Alison Carroll with Senator COATS.

Mr. KENNEDY. Mr. President, also I thank Adele Robinson for Senator ADAMS, Bob Shireman for Senator SIMON, Ray Ramirez for Senator BINGAMAN, Bev Schroeder for Senator HARKIN, Joan Gilman for Senator DODD, and Cheryl Birdsall for Senator METZENBAUM. Also a group of interns in the Labor Committee: Dan Ivey-Soto, Hector De LaTorre, Tom Clyde, Lauren Burke, Joe Murray, Katherine Herrera, Heather McGuire, Meeghan Puntty, and some interns: Kevin Martin, Wendy Bloom, Kate Scurria, and Nevla O'Connor. These last four were students who came for a period of 3 weeks, enormously talented and creative young people who just came down here at the right time, doing a lot of research, particularly about what was happening out in local communities. I thought they made a very important contribution.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. DURENBERGER. Mr. President, mentioning the staff causes me to rise to make a comment or two that I would like to extend in comments for the RECORD on one of the more interesting contributions to this bill that we did not vote on, the adoption of charter education. The chairman was good enough to pick that up. Senator LIEBERMAN and I both sponsored it.

I want to thank Terry Hartle particularly for his understanding in the period of time from markup to now of how important this kind of choice in public education is going to be in the future and to thank Carolyn Boos of my staff and particularly a young man who has three children, ages 3, 6, and 9, out in Minnesota by the name of Jon Schroeder who put this thing together, worked with the Democrats, the legislature, the State of Minnesota over the last 22 years to make this a reality. It is one of the contributions that people on our home staffs who are not here in Washington every day with us can make for the future of their children and the children of all Americans. I thank the Chair and ranking member.

Mr. KENNEDY. Mr. President, I should have mentioned Senator DURENBERGER on this particular issue as well, and I thank him for bringing it up.

Mr. President, I have an amendment to the title. I understand it is appropriate at this time that it be the complete title to the legislation.

The PRESIDING OFFICER. The amendment to the title is in order after the bill has been passed.

Is there further debate on the bill? If not, the bill having been read the third time, the question is, Shall the bill, as amended, pass? The yeas and nays have been ordered. The clerk will call the role.

The legislative clerk called the roll.  
Mr. FORD. I announce that the Senator from Iowa [Mr. HARKIN] and the Senator from Nebraska [Mr. KERREY] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 6, as follows:

[Rollcall Vote No. 9 Leg.]

YEAS—92

Adams	Exon	Mikulski
Akaka	Ford	Mitchell
Baucus	Fowler	Moynihan
Bentsen	Glenn	Murkowski
Biden	Gore	Nickles
Bingaman	Gorton	Numm
Bond	Graham	Packwood
Boren	Gramm	Pell
Bradley	Grassley	Pressler
Breaux	Hatch	Pryor
Brown	Hatfield	Reld
Bryan	Heflin	Riegle
Bumpers	Hollings	Robb
Burdick	Inouye	Rockefeller
Burns	Jeffords	Roth
Byrd	Johnston	Rudman
Chafee	Kassebaum	Sanford
Coats	Kasten	Sarbanes
Cochran	Kennedy	Sasser
Cohen	Kerry	Seymour
Conrad	Kohl	Shelby
Cranston	Lautenberg	Simon
D'Amato	Leahy	Simpson
Danforth	Levin	Specter
Daschle	Lieberman	Stevens
DeConcini	Lott	Thurmond
Dixon	Lugar	Warner
Dodd	Mack	Wellstone
Dole	McCaIn	Wirth
Domencil	McConnell	Wofford
Durenberger	Metzenbaum	

NAYS—6

Craig	Helms	Symms
Garn	Smith	Wallop

NOT VOTING—2

Harkin Kerrey

So the bill (S. 2), as amended, was passed as follows:

S. 2

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

# SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Neighborhood Schools Improvement Act".

(b) TABLE OF CONTENTS.—The table of contents is as follows:

Sec. 1. Short title and table of contents.

Sec. 2. Findings and purposes.

## TITLE I—NATIONAL EDUCATION GOALS

### PART A—NATIONAL GOALS

Sec. 101. Purpose.

Sec. 102. School readiness.

Sec. 103. School completion.

Sec. 104. Student achievement.

Sec. 105. Mathematics and science.

Sec. 106. Family literacy and lifelong learning.

Sec. 107. Safe, disciplined, and drug-free schools.

### PART B—NATIONAL ACADEMIC REPORT CARD

Sec. 111. Short title.

Sec. 112. Findings and purpose.

Sec. 113. National Education Goals panel.

Sec. 114. Functions.

Sec. 115. Annual report card.

Sec. 116. Powers of the Panel.

Sec. 117. Administrative provisions.

Sec. 118. Director and staff; experts and consultants.

Sec. 119. Authorization of appropriations.

### PART C—NATIONAL EDUCATION STANDARDS AND ASSESSMENTS COUNCIL

Sec. 131. National Education Standards and Assessments Council.

Sec. 132. Annual reports.

Sec. 133. Powers of the Council.

Sec. 134. Administrative provisions.

Sec. 135. Director and staff; experts and consultants.

Sec. 136. Authorization of appropriations.

## TITLE II—NEIGHBORHOOD SCHOOLS IMPROVEMENT ACT

Sec. 201. Purpose.

Sec. 202. Allotment of funds.

Sec. 203. State application.

Sec. 204. Neighborhood Schools Improvement Advisory Council.

Sec. 205. State Neighborhood Schools Improvement Plan and report on restrictions.

Sec. 206. Review of State plans.

Sec. 207. State administration and local applications.

Sec. 208. Use of funds.

Sec. 209. Requirements relating to use of allotments.

Sec. 210. Evaluation requirements.

Sec. 211. Dissemination of exemplary practices by the Secretary.

Sec. 212. Authorization of appropriations.

## TITLE III—EDUCATIONAL REFORM AND FLEXIBILITY

Sec. 301. Statement of findings and purpose.

Sec. 302. Flexibility and accountability in education and related services.

## TITLE IV—DISTANCE LEARNING

Sec. 401. Distance learning study.

Sec. 402. Distance learning policy study.

Sec. 403. Definition.

## TITLE V—PEACE CORPS

Sec. 501. Findings.

Sec. 502. Sense of the Senate.

## TITLE VI—MISCELLANEOUS

Sec. 601. Improved statistics regarding American schools.

Sec. 602. Freedom of speech on campus.

Sec. 603. Technical amendment.

Sec. 604. General Accounting Office report on the effect of tax incentives on local public school finance.

## TITLE VII—DEFINITIONS

Sec. 701. Definitions.

## SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) to achieve the National Education Goals each State must develop and implement widely shared, comprehensive strategies to support the revitalization of all public elementary and secondary schools;

(2) education improvement will require statewide reform strategies and an unshakable long-term commitment by State policymakers;

(3) educational improvement will require adequate commitment and investment from the Federal Government;

(4) educational reform will require that teachers and school leaders play the central role in designing and implementing changes at the school level and they must have access to high-quality training and professional development to maximize that role and increase their effectiveness;

(5) ultimately, meaningful educational reform will be achieved on a school by school basis;

(6) innovative and successful reform initiatives which are underway in schools throughout the Nation are not being replicated in sufficient number by schools where identical practices would further the National Education Goals;

(7) teachers, principals, parents and members of the local community can, in collabora-

tion with the local educational agency, design effective education reform strategies to achieve the National Education Goals and be strongly committed to such plans if these individuals have access to the resources to implement such plans;

(8) schools receiving resources under this Act to implement a reform plan should be required to show improved academic achievement and progress towards the achievement of the National Education Goals;

(9) the Federal Government can best encourage efforts to achieve the National Education Goals by making resources available to States for the development of coherent and coordinated education reform plans and to assist neighborhood public schools in implementing education reform efforts; and

(10) the Federal Government can also encourage reform by establishing an independent, non-partisan mechanism to measure progress toward the achievement of the National Education Goals.

(b) PURPOSE.—It is the purpose of this Act to provide resources to assist States and neighborhood public schools in the design and implementation of education reform strategies to improve student achievement and achieve the National Education Goals.

## TITLE I—NATIONAL EDUCATION GOALS

### PART A—NATIONAL GOALS

#### SEC. 101. PURPOSE.

It is the purpose of this title to establish a plan of action for the initial steps that the Federal Government must take in order to assist teachers, school leaders, parents, State and local governments, and businesses in the joint effort of achieving the National Education Goals as outlined in this title.

#### SEC. 102. SCHOOL READINESS.

(a) FINDINGS.—The Congress finds that the Federal Government should expand its commitment to school readiness to ensure that all children are ready and able to begin school.

(b) POLICY.—It is the goal of the United States that, by the year 2000, all children in America will start school ready to learn. As part of the joint effort of Federal, State, and local governments, organizations, institutions and individuals in achieving this goal, the Federal Government will take steps—

(1) to provide Head Start services to every eligible child who needs such services;

(2) to provide sufficient funding for the special supplemental food program for women, infants, and children so that all potentially eligible women, infants, and children have access to the services provided by the program;

(3) to assure that all women have access to affordable, high quality prenatal care and that all infants and children have access to affordable, high quality comprehensive and preventive health care, by providing sufficient funding for programs, including the Maternal and Child Health Services Block Grant, the Community and Migrant Health Center Grant Program, Medicaid, and the Childhood Immunization Grant Program;

(4) to expand funding for Even Start and the Follow Through Act to allow programs to reach all parts of the United States and to allow each State to fund a sufficient number of programs throughout the State so that approaches are available for local educational agencies, the State educational agency, and other organizations to adopt and implement;

(5) to provide sufficient funding to assist States in providing a free appropriate public education to preschool children with disabilities and early intervention services to infants and toddlers with disabilities and their



families pursuant to the Individuals With Disabilities Education Act; and

(6) to assure that every child participating in early childhood education is taught by a well-qualified teacher.

#### SEC. 103. SCHOOL COMPLETION.

(a) FINDINGS.—The Congress finds that in order for the Nation to improve its economic competitiveness, each individual in the United States must be educated to his or her greatest potential and must be encouraged to finish secondary school.

(b) POLICY.—It is the goal of the United States that, by the year 2000, the high school graduation rate will increase to at least 90 percent. As part of the joint effort of Federal, State, and local governments, organizations, institutions and individuals in achieving this goal, the Federal Government will take consistent steps—

(1) to expand funding for secondary school dropout prevention and reentry programs and basic skills programs to allow programs to reach all parts of the United States and to allow each State to fund a sufficient number of programs throughout the State so that approaches are available for local educational agencies, the State educational agency, and other organizations to adopt and implement; and

(2) to collect uniform, reliable data from the States with respect to school completion rates.

#### SEC. 104. STUDENT ACHIEVEMENT.

(a) FINDINGS.—The Congress finds that American students are falling behind students in other industrialized nations on tests measuring abilities in all academic subject areas.

(b) POLICY.—It is the goal of the United States that, by the year 2000, American students will leave grades 4, 8, and 12 having demonstrated competency over challenging subject matter including English, mathematics, science, foreign languages, history, and geography, and every school in America will ensure that all students learn to use their minds well, so they may be prepared for responsible citizenship, further learning, productive employment, and independent living in our modern economy. As part of the joint effort of Federal, State, and local governments, organizations, institutions and individuals in achieving this goal, the Federal Government will take steps—

(1) to provide appropriate educational assistance for all disadvantaged children in the United States by increasing the participation of eligible children in programs under chapter 1 of title I of the Elementary and Secondary Education Act of 1965;

(2) to fulfill the commitment made by the United States in 1975 to provide 40 percent of the costs of educating children with disabilities;

(3) to reward successful programs in schools with concentrations of disadvantaged children;

(4) to promote efforts that encourage all students to be involved in activities that promote and demonstrate good citizenship, community service, and personal responsibility; and

(5) to encourage highly qualified individuals to become teachers and to remain in the teaching profession.

#### SEC. 105. MATHEMATICS AND SCIENCE.

(a) FINDINGS.—The Congress finds that—

(1) most students in the United States are behind students from other industrialized nations on tests measuring achievement in mathematics and science;

(2) the Federal Government has a significant role in promoting the study of mathe-

matics and science in elementary and secondary schools by providing financial assistance to local educational agencies to improve the general quality of programs for the study of mathematics and science through authorized mathematics and science education programs; and

(3) the Federal Government has indirectly assisted in the postsecondary study of mathematics and science by providing future scientists, mathematicians, and engineers with financial assistance to attend postsecondary institutions, but more incentives are needed to attract high-achieving students into these areas of study.

(b) POLICY.—It is the goal of the United States that, by the year 2000, United States students will be first in the world in mathematics and science achievement. As part of the joint effort of Federal, State, and local governments, organizations, institutions and individuals in achieving this goal, the Federal Government will take steps—

(1) to expand funding for the Excellence in Mathematics, Science, and Engineering Act of 1990 to increase the number of individuals, particularly women and minorities, in graduate and undergraduate programs in mathematics, science, and engineering;

(2) to expand funding for the Dwight D. Eisenhower Mathematics and Science Education Act so that all elementary teachers and all secondary teachers of mathematics and science will have an opportunity for updating and improving their mathematics and science education skills;

(3) to expand funding for such Act so that all elementary school teachers have an opportunity for skill improvement;

(4) to award scholarships to high-achieving students to pursue the study of mathematics, science, and related subjects at postsecondary institutions; and

(5) to encourage highly qualified individuals to become and to remain mathematics and science teachers in elementary and secondary schools.

#### SEC. 106. FAMILY LITERACY AND LIFELONG LEARNING.

(a) FINDINGS.—The Congress finds that—

(1) nearly 30,000,000 adults in the United States are lacking literacy skills which limits their ability to read, write, or speak in English or to compute or solve problems effectively; and

(2) the Federal Government has a responsibility to assist State and local governments in providing literacy services to those individuals in need of such services so that they may be full participants in society.

(b) POLICY.—It is the goal of the United States that, by the year 2000, every American will be literate and will possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship. As part of the joint effort of Federal, State, and local governments, organizations, institutions and individuals in achieving this goal, the Federal Government will take steps—

(1) to provide increased funding for the Adult Education Act so that all eligible individuals who seek such services under such Act will receive such services;

(2) to expand Federal assistance for literacy programs in order to assist State and local governments, public libraries, organizations and volunteers in providing all individuals lacking literacy skills the opportunity to acquire skills needed to function in society; and

(3) to provide increased funding for the rehabilitation and training of young persons with disabilities in accordance with the Rehabilitation Act of 1973.

#### SEC. 107. SAFE, DISCIPLINED, AND DRUG-FREE SCHOOLS.

(a) FINDINGS.—The Congress finds that—

(1) use of illicit drugs and alcohol continues to be a major problem that threatens the safety of the children of the Nation and impedes their ability to succeed in school and in their lives; and

(2) more Federal efforts are urgently needed in the areas of drug and alcohol abuse education and prevention.

(b) POLICY.—It is the goal of the United States that, by the year 2000, every school in America will be free of drugs and violence and will offer a disciplined environment conducive to learning. As part of the joint effort of Federal, State, and local governments, organizations, institutions and individuals in achieving this goal, the Federal Government will take steps to ensure that all students receive drug abuse prevention education and counseling services.

#### PART B—NATIONAL ACADEMIC REPORT CARD

##### SEC. 111. SHORT TITLE.

This part may be cited as the "National Academic Report Card Act of 1991".

##### SEC. 112. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) the social well-being, economic stability, and national security of the United States depend on a strong educational system that provides all citizens with the skills necessary to become active members of a productive work force;

(2) despite the many reforms of the educational system that have been implemented since the National Council on Excellence in Education declared our Nation "at risk" in 1983, the United States remains at risk for educational underachievement;

(3) United States students currently rank far below students of many other countries in educational achievement, particularly in mathematics and the sciences;

(4) although State and local governments bear the primary responsibility for elementary and secondary education, rapidly increasing international competitiveness requires that the United States increase efforts to make education a national priority;

(5) the Federal Government has played a vital, leading role in funding important educational programs and research activities and should continue to play that role;

(6) accurate and reliable mechanisms must be available to assess and monitor educational progress;

(7) the mechanisms to assess and monitor educational progress, and the national information infrastructure needed to support the mechanisms, do not exist or must be strengthened;

(8) there should be established an independent, bipartisan panel, building on existing efforts to measure progress toward achievement of the National Education Goals;

(9) the Nation should also move forward to set national education standards and develop a voluntary system of assessments to help students and schools meet those standards;

(10) the primary purpose of developing standards and a system of assessments related to those standards is to inform instruction and improve learning;

(11) establishing voluntary national standards and assessments is an important, complex, and sensitive task and any coordinating structure for this purpose must be bipartisan, engage government at all levels, and involve the many constituencies that have an established interest in improving education;

(12) much work in the area of developing standards and assessments linked to those

standards has already begun and the national effort should benefit from and not attempt to duplicate any good work being done by existing Federal and non-Federal entities;

(13) in accordance with the recommendations of the National Council on Education Standards and Testing, a coordinating structure needs to be put into place to ensure that this work is being done;

(14) this coordinating structure should maintain the Nation's tradition of State and local authority over education and therefore be a part of a cooperative national effort; and

(15) there should be established a national coordinating body to ensure the establishment of national education standards and a voluntary system of assessments.

(b) **PURPOSE.**—It is the purpose of this part to establish the National Education Goals Panel, to establish the National Education Standards and Assessments Council, to provide resources to develop means to measure and report on progress toward the achievement of the National Education Goals, and to advance the establishment of world class education standards and the development of a voluntary system of assessments as a catalyst for comprehensive educational reforms.

**SEC. 113. NATIONAL EDUCATION GOALS PANEL.**

(a) **ESTABLISHMENT.**—There is established within the Department of Education a National Education Goals Panel (hereafter in this part referred to as the "Panel").

(b) **COMPOSITION.**—

(1) **IN GENERAL.**—The Panel shall be composed of 14 members (hereafter in this part referred to as "members"), including—

(A) two members appointed by the President;

(B) eight Governors, three of whom shall be from the same political party as the President and five of whom shall be of the opposite political party of the President, appointed by the Chairman or Vice Chairman of the National Governors' Association, with each appointing those of his respective political party, in consultation with each other and in accordance with paragraph (2); and

(C) four Members of Congress appointed as follows:

(i) The Majority Leader of the Senate shall appoint 1 individual from among the Members of the Senate.

(ii) The Minority Leader of the Senate shall appoint 1 individual from among the Members of the Senate.

(iii) The Majority Leader of the House of Representatives shall appoint 1 individual from among the Members of the House of Representatives.

(iv) The Minority Leader of the House of Representatives shall appoint 1 individual from among the Members of the House of Representatives.

(2) **SPECIAL APPOINTMENT RULES.**—(A) The members appointed pursuant to paragraph (1)(B) shall be appointed as follows:

(i) If the Chairperson of the National Governors' Association is from the same political party as the President, then the Chairperson shall appoint 3 persons pursuant to such paragraph and the Vice Chairperson shall appoint 5 persons pursuant to such paragraph.

(ii) If the Chairperson of the National Governors' Association is from the opposite political party as the President, then the Chairperson shall appoint 5 persons pursuant to such paragraph and the Vice Chairperson shall appoint 3 persons pursuant to such paragraph.

(B) If the National Governors' Association has appointed a panel that meets the re-

quirements of this subsection prior to the date of enactment of this Act, then the members serving on such panel shall be deemed to be in compliance with the provisions of this subsection and shall not be required to be reappointed pursuant to this subsection.

(c) **TERMS.**—The terms of service of members shall be as follows:

(1) **EXECUTIVE BRANCH.**—Members appointed under paragraph (1)(A) shall serve at the pleasure of the President.

(2) **GOVERNORS.**—Members appointed under paragraph (1)(B) shall serve a two-year term, except that the initial appointments under such paragraph shall be made to ensure staggered terms with one-half of the such member's terms concluding every two years.

(3) **MEMBERS OF CONGRESS.**—Members appointed under paragraph (1)(C) shall serve a term of four years.

(d) **INITIATION.**—The Panel may begin to carry out the duties of the Panel under this part when seven members of the Panel have been appointed.

(e) **DATE OF APPOINTMENT.**—The initial members shall be appointed not later than 60 days after the date of enactment of this Act.

(f) **RETENTION.**—In order to retain an appointment to the Panel, a member must attend at least two-thirds of the scheduled meetings of the Panel in any given year.

(g) **VACANCIES.**—A vacancy on the Panel shall not affect the powers of the Panel, but shall be filled in the same manner as the original appointment.

(h) **TRAVEL.**—Each member shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

(i) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the panel \$2,000,000 for each of the fiscal years 1992, 1993 and 1994, and such sums as may be necessary for each succeeding fiscal year thereafter.

(j) **CHAIRPERSON SELECTION.**—

(1) **INITIAL SELECTION.**—The members appointed under subsection (b)(2) shall select a Chairperson from among such members, except that after the expiration of the term of the member selected under this paragraph to serve as Chairperson as of October 1, 1991, or upon the termination of the tenure of such Chairperson, whichever is earlier, a majority of the members of the Council shall select the Chairperson from among the members.

(2) **CONTINGENT SELECTION.**—If no individual described in paragraph (1) assumes the position of Chairperson of the Council within 60 days of the date of the enactment of this Act, a majority of the members shall thereafter select a Chairperson from among the members.

**SEC. 114. FUNCTIONS.**

(a) **FUNCTIONS.**—

(1) **IN GENERAL.**—The Panel shall—

(A) propose the indicators to be used to measure the National Education Goals and reporting progress toward their achievement, the baselines and benchmarks against which progress may be evaluated, and the format for an annual report to the Nation;

(B) select interim and final measures and appropriate measurement tools to be developed as necessary in each goal area;

(C) report on the Federal actions to fulfill its responsibilities to education, including funding the Federal financial role, providing more flexibility and controlling mandates that limit the States' ability to fund education;

(D) issue a report to the President, the Congress, the Governors, and the Nation annually on progress toward the National Education Goals;

(E) assure, through requirements for State reports, that student performance is reported in the context of other relevant information about student, school and system performance;

(F) identify gaps in existing educational data, make recommendations for improvements in the methods and procedures for assessments that would be appropriate to assessing progress toward the National Education Goals, propose changes in national and international measurement systems as appropriate and make recommendations to the President, the Congress, and the Governors for needed improvements;

(G) appoint members to the National Education Standards and Assessments Council; and

(H) in accordance with paragraph (2), issue certification of content and student performance standards and the criteria for assessments as world-class following submission of such certification by the National Education Standards and Assessments Council.

(2) **SPECIAL RULE.**—In the event the Panel denies certification to all or part of a certification of the National Education Standards and Assessments Council, all or part of a certification shall be returned to such Council with detailed written explanations for the denial.

(b) **PERFORMANCE OF FUNCTIONS.**—In carrying out its responsibilities, the Panel shall operate on the principle of consensus.

(c) **DATA COLLECTION.**—The Panel shall make arrangements with any appropriate entity to generate or collect such data as may be necessary to appropriately assess progress toward the National Education Goals.

**SEC. 115. ANNUAL REPORT CARD.**

(a) **IN GENERAL.**—The Panel shall prepare and submit to the President, the appropriate committees of Congress, and the Governor of each State a National Report Card, that—

(1) sets forth an analysis of the progress of the United States toward achieving the National Education Goals; and

(2) may, as determined necessary by the Panel based on the findings of the Panel and an analysis of the views and comments of all interested parties—

(A) identify continuing gaps in existing educational data; and

(B) make recommendations for improvement in the methods and procedures of assessing educational attainment and strengthening the national educational assessment and information system of the Department of Education or any other appropriate Federal Government entity.

(b) **CONTINUATION.**—Based on the timetable established in section 114, the Panel shall continue to issue a National Report Card on an annual basis for the duration of the existence of the Panel.

(c) **FORMAT.**—National Report Cards shall be presented in a form that is understandable to parents and the general public.

**SEC. 116. POWERS OF THE PANEL.**

(a) **HEARINGS.**—

(1) **IN GENERAL.**—The Panel shall, for the purpose of carrying out this part, conduct such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Panel considers appropriate.

(2) **CONDUCT.**—In carrying out this part, the Panel shall conduct public hearings in different geographic areas of the country, both urban and rural, to receive the reports,



views, and analyses of a broad spectrum of experts and the public regarding the Panel's functions described in section 114(a).

(b) **INFORMATION.**—The Panel may secure directly from any department or agency of the United States information necessary to enable the Panel to carry out this title. Upon request of the Chairperson of the Panel, the head of a department or agency shall furnish such information to the Panel to the extent permitted by law.

(c) **GIFTS.**—The Panel may accept, use, and dispose of gifts or donations of services or property.

(d) **POSTAL SERVICES.**—The Panel may use the United States mail in the same manner and under the same conditions as other departments and agencies of the United States.

(e) **ADMINISTRATIVE AND SUPPORTIVE SERVICES.**—The Secretary of Education shall provide to the Panel, on a reimbursable basis, administrative support services as the Panel may request.

#### SEC. 117. ADMINISTRATIVE PROVISIONS.

(a) **MEETINGS.**—The Panel shall meet on a regular basis, as necessary, at the call of the Chairperson of the Panel or a majority of its members.

(b) **QUORUM.**—A majority of the members shall constitute a quorum for the transaction of business.

(c) **VOTING.**—No individual may vote or exercise any of the powers of a member by proxy.

#### SEC. 118. DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS.

(a) **DIRECTOR.**—The Chairperson of the Panel shall, without regard to the provisions of title 5, United States Code, relating to the appointment and compensation of officers or employees of the United States, appoint a Director to be paid at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule.

(b) **APPOINTMENT AND PAY OF STAFF.**—The Chairperson of the Panel may appoint personnel as the Chairperson considers appropriate without regard to the provisions of title 5, United States Code, governing appointments to the competitive service. The staff of the Panel may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates. The rate of pay of the staff of the Panel shall not exceed the rate of basic pay payable for GS-15 of the General Schedule.

(c) **EXPERTS AND CONSULTANTS.**—The Panel may procure temporary and intermittent services under section 3019(b) of title 5, United States Code.

(d) **STAFF OF FEDERAL AGENCIES.**—Upon the request of the Panel, the head of any department or agency of the United States is authorized to detail, on a reimbursable basis, any of the personnel of that agency to the Panel to assist the Panel in its duties under this title.

#### SEC. 119. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$2,000,000 for fiscal year 1992 and such sums as may be necessary for each of the fiscal years 1993 through 2001 to carry out this part.

#### PART C—NATIONAL EDUCATION STANDARDS AND ASSESSMENTS COUNCIL

#### SEC. 131. NATIONAL EDUCATION STANDARDS AND ASSESSMENTS COUNCIL.

(a) **ESTABLISHMENT.**—There is established within the Department of Education a National Education Standards and Assessments Council (referred to in this part as the "Council").

(b) **APPOINTMENT AND COMPOSITION.**—

(1) **APPOINTMENT.**—The Council shall be composed of 21 members (hereafter in this part referred to as "members") appointed by the National Education Goals Panel described in section 113 (hereafter in this part referred to as the "Panel").

(2) **COMPOSITION.**—The Council shall be composed of—

- (A) seven public officials;
- (B) seven educators; and
- (C) seven members of the general public.

(3) **TIME.**—The members of the Council described in paragraph (2) shall be appointed within 120 days after the date of enactment of this Act.

(c) **QUALIFICATIONS.**—

(1) **IN GENERAL.**—Members shall be appointed to the Council on the basis of widely recognized experience in, knowledge of, commitment to, and a demonstrated record of service to education and to achieving education excellence at the Federal, State or local level.

(2) **NOMINATIONS.**—Members under this subsection shall be appointed from among qualified individuals nominated by the public.

(d) **TERMS.**—

(1) **IN GENERAL.**—The members shall be appointed for three-year terms, with no member serving more than 2 consecutive terms.

(2) **INITIAL SELECTION.**—The Panel shall establish initial terms for individuals of two, three, or four years in order to establish a rotation in which one-third of the members are selected each year.

(A) **PUBLIC OFFICIALS.**—From among the members appointed under subsection (b)(2)(A), the Panel shall designate 2 appointees to serve 2-year terms, 3 appointees to serve 3-year terms and 2 appointees to serve 4-year terms.

(B) **EDUCATORS.**—From among the members appointed under subsection (b)(2)(B), the Panel shall designate 2 appointees to serve 2-year terms, 3 appointees to serve 3-year terms and 2 appointees to serve 4-year terms.

(C) **GENERAL PUBLIC.**—From among the members appointed under subsection (b)(2)(C), the Panel shall designate 2 appointees to serve 2-year terms, 3 appointees to serve 3-year terms and 2 appointees to serve 4-year terms.

(3) **SPECIAL PROVISION.**—No member of the Panel may concurrently serve as a member of the Council.

(4) **DATE OF APPOINTMENT.**—The initial members shall be appointed, by the Panel, not later than 120 days after the date of enactment of this Act.

(5) **RETENTION.**—In order to retain an appointment to the Council, a member must attend at least two-thirds of the scheduled meetings of the Council in any given year.

(6) **OFFICER SELECTION.**—The members appointed under subsection (b)(2) shall select officers of the Council from among the members of the Council. The officers of the Council shall serve for 1-year terms.

(7) **VACANCIES.**—A vacancy on the Council shall not affect the powers of the Council, but shall be filled in the same manner as the original appointment.

(8) **TRAVEL.**—Each member of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

(9) **INITIATION.**—The Council may begin to carry out the duties of the Council under this part when—

- (A) all 21 members have been appointed; or

(B) 11 members have been appointed pursuant to the provisions of subsection (b).

(e) **FUNCTIONS OF THE COUNCIL.**—The Council shall—

(1) be a coordinating body to ensure the establishment of national education standards;

(2) serve as a coordinating body to encourage a voluntary system of assessments for individual students consistent with the national standards;

(3) develop criteria for world-class content and student performance standards and establish guidelines for standard setting and assessment development;

(4) establish guidelines for assessments which ensure technical merit through determining that assessments are specifically valid, reliable, fair and cost effective for any purpose for which the assessments may be used;

(5) establish procedures and criteria for ensuring that, to the extent possible and without sacrificing the validity, reliability, directness, and fairness of the assessments, assessments are comparable to each other; and

(6) issue certification of content and student performance standards and criteria for assessments as world-class, and transmit such certification to the Panel for the Panel's certification.

(f) **PERFORMANCE OF FUNCTIONS.**—In carrying out its responsibilities, the Council shall work with Federal and non-Federal agencies and organizations which are conducting research, studies or demonstration projects to determine world-class education standards and assessments based on such standards.

(g) **DATA COLLECTION.**—The Council shall make arrangements with any appropriate entity to generate or collect such data as may be necessary to carry out its functions.

#### SEC. 132. ANNUAL REPORTS.

Not later than 1 year after the date the Council concludes its first meeting of members and in each succeeding year, the Council shall prepare and submit to the President, the appropriate committees of Congress, and the Governor of each State a report on its work.

#### SEC. 133. POWERS OF THE COUNCIL.

(a) **HEARINGS.**—

(1) **IN GENERAL.**—The Council shall, for the purpose of carrying out this part, conduct such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Council considers appropriate.

(2) **CONDUCT.**—In carrying out this part, the Council shall conduct public hearings in different geographic areas of the country, both urban and rural, to receive the reports, views, and analyses of a broad spectrum of experts and the public on the establishment of national education standards and assessments.

(b) **INFORMATION.**—The Council may secure directly from any department or agency of the United States information necessary to enable the Council to carry out this part. Upon request of the Chairperson of the Council, the head of a department or agency shall furnish such information to the Council to the extent permitted by law.

(c) **GIFTS.**—The Council may accept, use, and dispose of gifts or donations of services or property.

(d) **POSTAL SERVICES.**—The Council may use the United States mail in the same manner and under the same conditions as other departments and agencies of the United States.

(e) **ADMINISTRATIVE AND SUPPORTIVE SERVICES.**—The Secretary shall provide to the Council, on a reimbursable basis, adminis-

trative support services as the Council may request.

#### SEC. 134. ADMINISTRATIVE PROVISIONS.

(a) MEETINGS.—The Council shall meet on a regular basis, as necessary, at the call of the Chairperson of the Council or a majority of its members.

(b) QUORUM.—A majority of the members shall constitute a quorum for the transaction of business.

(c) VOTING.—The Council shall take all action of the Council by a 2/3 majority vote of the total membership of the Council, assuring the right of the minority to issue written views. No individual may vote or exercise any of the powers of a member by proxy.

#### SEC. 135. DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS.

(a) DIRECTOR.—The Chairperson of the Council shall, without regard to the provisions of title 5, United States Code, relating to the appointment and compensation of officers or employees of the United States, appoint a Director to be paid at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule.

(b) APPOINTMENT AND PAY OF STAFF.—The Chairperson may appoint personnel as the Chairperson considers appropriate without regard to the provisions of title 5, United States Code, governing appointments to the competitive service. The staff of the Council may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates. The rate of pay of the staff of the Council shall not exceed the rate of basic pay payable for GS-15 of the General Schedule.

(c) EXPERTS AND CONSULTANTS.—The Council may procure temporary and intermittent services under section 3019(b) of title 5, United States Code.

(d) STAFF OF FEDERAL AGENCIES.—Upon the request of the Council, the head of any department or agency of the United States is authorized to detail, on a reimbursable basis, any of the personnel of that department or agency to the Council to assist the Council in its duties under this title.

#### SEC. 136. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Council \$2,000,000 for each of the fiscal years 1992, 1993 and 1994 and such sums as may be necessary for each succeeding fiscal year thereafter.

### TITLE II—NEIGHBORHOOD SCHOOLS IMPROVEMENT ACT

#### SEC. 201. PURPOSE.

It is the purpose of this title to provide multiyear financial assistance to public elementary and secondary schools to encourage all schools to engage in comprehensive improvement to—

- (1) meet the National Education Goals;
- (2) improve the educational achievement of the students attending the school; and
- (3) increase community, parental and business collaboration to improve such schools and raise academic achievement.

#### SEC. 202. ALLOTMENT OF FUNDS.

(a) RESERVATION.—The Secretary shall reserve 1 percent of the amount appropriated pursuant to the authority of section 212 in each fiscal year to award grants to the Pacific outlying area and to the Secretary of the Interior for the Bureau of Indian Affairs schools using whatever mechanism the Secretary determines shall best meet the purposes of this title.

(b) ALLOTMENT.—From the amount appropriated pursuant to the authority of section 212 in each fiscal year and not reserved pur-

suant to subsection (a), the Secretary shall allot to each State educational agency having an application approved under section 203 an amount which bears the same relation to—

(1) 50 percent of such funds as the amount such State educational agency received under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 in the preceding fiscal year bears to the amount received by all State educational agencies under such chapter in such fiscal year; and

(2) 50 percent of such funds as the amount such State educational agency received under chapter 2 of title I of the Elementary and Secondary Education Act of 1965 in the preceding fiscal year bears to the amount received by all State educational agencies under such chapter in such fiscal year.

(c) STATE MINIMUM.—No State educational agency, by reason of the application of subsection (b) shall receive an allotment under this title in any fiscal year which is less than one-quarter of one percent of the amount appropriated pursuant to the authority of section 212 for such fiscal year.

(d) GENERAL USE OF ALLOTMENT.—

(1) INITIAL YEAR.—In the initial year for which a State educational agency receives an allotment under this title, funds under such allotment shall be used to develop a State Neighborhood Schools Improvement Plan as required under section 205.

(2) SPECIAL RULE.—A State educational agency may, in the first year for which funds are received under this title, use funds not otherwise used for planning activities as described in section 205, for training and professional development activities for teachers and school leaders and for initiatives to increase parental choice among public schools. Any such funds remaining at the end of such year may be carried over by the State educational agency for distribution to schools in the following year.

(3) SECOND AND SUCCEEDING YEARS.—

(A) IN GENERAL.—Subject to the provisions of section 209, in the second and succeeding years for which a State educational agency receives an allotment under this title, not to exceed 10 percent of the funds received under such allotment in each such year may be used for evaluations, administrative activities, and technical assistance to assist local schools in preparing an application to be submitted pursuant to section 207(c) and for the review of local applications. The remainder of such funds shall be made available to local schools as required in section 208.

(B) WAIVER.—A chief State school officer, in consultation with the Governor, may submit an application to the Secretary for a waiver of the requirements of subparagraph (A). Under such waiver, the Secretary may permit such State to expend not to exceed an additional 10 percent of the funds received under this title for activities such as—

(i) teacher training and professional development for teachers and school leaders;

(ii) initiatives to increase parental choice among public schools, including assessment of student needs and parent information and referral programs, if such initiatives permit parents of students served by a school to choose a school in accordance with this clause and encourage parents to participate in governance, management processes, or activities related to their children's education programs;

(iii) the establishment of new public schools, such as Essential Schools, Accelerated Schools, New American Schools, charter schools, Comer Schools, and Schools of the 21st Century in accordance with subparagraph (C);

(iv) providing grants to business and education partnerships to enable such partnerships to plan, establish and operate model secondary schools or programs for science and mathematics or technology education, including such schools or programs which place a priority on serving disadvantaged or female secondary school students; and

(v) other activities developed in conjunction with local education agencies that are designed to improve student achievement in the public schools.

(C) ADDITIONAL WAIVER AUTHORITY FOR NEW AMERICAN SCHOOLS.—A chief State school officer, in consultation with the Governor, may submit an application to the Secretary for an additional waiver of the requirements of subparagraph (A). Under such waiver, the Secretary may permit such State educational agency to expend not to exceed an additional 15 percent of the funds received under this title for the establishment of New American Schools in accordance with subparagraph (D).

(D) SPECIAL REQUIREMENTS.—An application for a waiver under subparagraph (C), shall—

(i) include procedures for the consideration of applications for schools which have—

- (I) adopted the National Education Goals;
- (II) established and implemented a community-wide strategy for achieving those goals;
- (III) developed a "report-card" for measuring and reporting to the public, at least once each year, the progress toward achievement of the goals; and

(IV) demonstrated a willingness and commitment to make substantial improvements in the education of children in the community; and

(ii) give priority in awarding grants to eligible recipients serving communities with high concentrations of educationally disadvantaged children and children from low-income families.

(E) SPECIAL RULE.—Any new public school established under this title shall be nonsectarian in its programs, admissions policies, employment practices, and all other operations and shall not be affiliated with a nonpublic sectarian school or religious institution.

(F) SPECIAL REQUIREMENT.—A new public school established under subparagraph (B)(iii) shall be nonsectarian in its programs, admission policies, employment practices, and all other operations and shall not be affiliated with a nonpublic sectarian school or a religious institution.

#### SEC. 203. STATE APPLICATION.

(a) IN GENERAL.—A State educational agency desiring to receive an allotment under this title shall prepare and submit to the Secretary an application at such time, in such manner and containing such information as the Secretary may require.

(b) FIRST YEAR.—In the first year an application is submitted under this section such application shall contain a description of, the process and procedures that the State educational agency will undertake to establish, the Neighborhood Schools Improvement Advisory Council in accordance with section 204.

(c) SECOND YEAR.—In the second year an application is submitted under this section such application shall include the State Neighborhood Schools Improvement Plan described in section 205.

#### SEC. 204. NEIGHBORHOOD SCHOOLS IMPROVEMENT ADVISORY COUNCIL.

(a) IN GENERAL.—

(1) IN GENERAL.—Each State educational agency receiving an allotment under this



title shall establish a Neighborhood Schools Improvement Advisory Council (hereafter referred to in this title as the "Council").

(2) **FUNCTIONS.**—The Council shall serve as an advisory group for the development of a comprehensive and systemic plan to improve the public elementary and secondary schools in the State, to review the Neighborhood Schools Improvement Plan developed by the State educational agency, and to advise on the development of the criteria used to evaluate applications for Neighborhood Schools Improvement Grants.

(b) **COMPOSITION AND REPRESENTATION.**—

(1) **COMPOSITION.**—(A) The Council shall be composed of 14 members, of which—

(i) seven shall be appointed by the State educational agency; and

(ii) seven shall be appointed by the Governor.

(B) The State educational agency and the Governor shall appoint members of the Council pursuant to this section so that such members are in approximate proportion to the relative distribution of students in the State who are from urban and rural areas in the State. The Council shall include, at a minimum, representatives of the State educational agency, the Governor, State legislators, local educational agencies, the business community, parents, public school teachers, and public school administrators.

(2) **REPRESENTATION.**—

(A) **IN GENERAL.**—A Council established pursuant to this section shall be broadly and widely representative of the population of the State.

(B) **HIGH NEED SCHOOLS.**—Not less than 50 percent of the members of the Council appointed by the State educational agency and the Governor shall be selected from communities with schools designated as high need schools in accordance with section 207(a)(2) and shall include public school teachers, school leaders and parents.

(c) **CHAIRPERSON.**—The Council shall appoint a chairperson.

#### **SEC. 205. STATE NEIGHBORHOOD SCHOOLS IMPROVEMENT PLAN AND REPORT ON RESTRICTIONS.**

(a) **PLAN.**—

(1) **IN GENERAL.**—The State educational agency shall, not later than 1 year after the date of enactment of this Act and in consultation with the Council, develop a State Neighborhood Schools Improvement Plan, that meets the requirements of subsection (b), for the improvement of academic achievement in all public elementary and secondary schools in the State and to assist the State in achieving the National Education Goals.

(2) **REVIEW AND COMMENT; TRANSMISSION.**—The plan described in paragraph (1) shall be submitted to the Council and the Governor for review and comment. The Council and the Governor shall review the plan and submit their comments to the State educational agency within 30 days of receipt of such plan. Such comments shall be transmitted by the State educational agency along with the plan to the Secretary as part of the application described in section 203(b).

(b) **GENERAL REQUIREMENTS OF PLANS.**—A State Neighborhood Schools Improvement Plan developed under subsection (a) shall contain a plan for the comprehensive and systemic reform of all public schools in the State to assist such State in improving the academic achievement of all students and achieving the National Education Goals. Such plan shall—

(1) affirm the commitment of the State to the National Education Goals and describe

the measures to be taken to achieve such goals;

(2) establish the goal of transforming the system of education to provide every child a high quality education;

(3) describe the manner in which appropriate resources will be provided to implement the reform plan;

(4) describe the manner in which the State will measure progress made towards achieving the National Education Goals and make such information available to the public;

(5) describe plans to improve the professional development of teachers and school leaders;

(6) provide an evaluation of the efforts undertaken to achieve the goals;

(7) contain a description of the manner in which the State educational agency shall encourage and enhance improvement in all public schools in the State to improve student achievement to meet the National Education Goals;

(8) affirm the importance of identifying and incorporating into reform plans successful ongoing efforts which further the State strategy to achieve the National Education Goals; and

(9) describe the measures to be taken to assure widespread public support for the plan.

(c) **DESCRIPTION OF GRANT ADMINISTRATION.**—A State Neighborhood Schools Improvement Plan developed under subsection (a) shall describe the measures to be undertaken by the State to administer the allotment provided to the State under this title. In meeting the requirement of this subsection, such plan shall include—

(1) a description of the procedures that shall be used to—

(A) identify and inform local educational agencies and schools about the program assisted under this title; and

(B) provide technical assistance, where necessary or requested, to help local educational agencies and schools, especially high need schools, prepare the applications submitted pursuant to section 207(b);

(2) a description of the measures to be undertaken to monitor and evaluate the activities and results at schools receiving a grant under this title;

(3) a description of the measures to be undertaken to implement a competitive process to award grants under this title in accordance with section 207;

(4) an assurance that grants awarded under this title shall be equitably distributed among local educational agencies with the greatest number or concentration of economically disadvantaged students;

(5) an assurance that funds received under this title shall be used to supplement and not supplant other Federal, State and local funds available to the schools;

(6) an assurance that funding under this title shall terminate if the State educational agency determines that a school—

(A) is not successfully implementing the activities and services described in the application submitted pursuant to section 207(b); or

(B) is not making measurable gains in student achievement or increasing the graduation rate at such school in the fourth, fifth, and, if appropriate, succeeding years of the project assisted under this title;

(7) a description of an appeals process available for schools whose funding under this title has been terminated pursuant to paragraph (6), and an assurance that any such decision to terminate funding shall be reviewed;

(8) a description of the steps the State educational agency shall use to ensure that suc-

cessful practices identified through grants awarded to schools under this title or ongoing in a school shall be disseminated to other schools served by the State educational agency and the measures to be taken by the State educational agency to encourage and assist other schools in implementing such successful practices; and

(9) an assurance that the State educational agency shall inform the Secretary of the most successful neighborhood schools served under this title, and provide such information regarding such schools as the Secretary shall request in order to facilitate the national dissemination of successful practices.

(d) **IDENTIFICATION OF LAWS AND REGULATIONS THAT RESTRICT FLEXIBILITY.**—At the end of the initial year, the Council shall prepare and submit to the Secretary, the Governor, the State educational agency and the State legislature a report identifying Federal and State statutes, rules and regulations that, in the opinion of the relevant local school teachers and administrators, restrict school level flexibility and make it difficult for the schools to improve academic achievement and reach the National Education Goals.

(e) **SPECIAL RULE FOR STATES WHICH ALREADY HAVE ENACTED A COMPREHENSIVE, STATEWIDE EDUCATION IMPROVEMENT PLAN.**—

(1) **WAIVER.**—In the case of a State which has enacted a comprehensive, statewide education improvement plan, the Secretary may, in accordance with the provisions of section 206, grant such State a waiver from the requirements of section 204 and subsections (a) and (b) of section 205, and such State may use an allotment under this section in the initial and succeeding years in accordance with the provisions of section 202(c)(3).

(2) **APPLICATION.**—Each State desiring a waiver under this subsection shall include a request for such waiver in application submitted under section 203. Such application shall include a plan which meets the requirements of section 205(c).

#### **SEC. 206. REVIEW OF STATE PLANS.**

The Secretary shall, through a peer review process, review plans submitted under section 205 to ensure that the plans meet the requirements of such section. A plan shall not be disapproved because such plan lacks one or more specific education reform strategies or initiatives. The Secretary shall specify, in writing, the reasons for disapproving any plan and shall submit such written reasons to the appropriate State educational agency.

#### **SEC. 207. STATE ADMINISTRATION AND LOCAL APPLICATIONS.**

(a) **REQUIREMENT FOR GRANTS.**—

(1) **IN GENERAL.**—Each State educational agency receiving an allotment under this title shall award grants under this title to schools within the State that have submitted an application pursuant to subsection (b).

(2) **HIGH NEED SCHOOLS.**—For the purpose of this title the term "high need school" means a school designated by the State educational agency as meeting at least two of the following criteria:

(A) The school is eligible to participate in a schoolwide project assisted under section 1015 of the Elementary and Secondary Education Act of 1965.

(B) The school is located in a school district experiencing extreme financial distress (such as bankruptcy, State takeover or undergoing consolidation because of financial problems).

(C) The school is among the 25 percent of all elementary schools in the State with the

greatest number or concentration of children eligible to be counted under section 1005(c) of the Elementary and Secondary Education Act of 1965.

(D) The school is among the 25 percent of all secondary schools in the State with the greatest number or concentration of children eligible to be counted under section 1005(c) of the Elementary and Secondary Education Act of 1965.

(E) The school is among the 25 percent of all elementary schools in the State with the lowest levels of student achievement, as measured by the State, or, in the case of a State that has no statewide assessment system, as shown by the school through the use of a nationally normed test that demonstrates the school ranks in the lowest quartile of student achievement.

(F) The school is among the 25 percent of all secondary schools in the State with the lowest levels of student achievement, as measured by the State, or, in the case of a State that has no statewide assessment system, as shown by the school through the use of a nationally normed test that demonstrates the school ranks in the lowest quartile of student achievement.

(G) The school is participating in a school improvement program pursuant to section 1021(b) of the Elementary and Secondary Education Act of 1965.

(b) LOCAL APPLICATIONS.—

(1) IN GENERAL.—

(A) PREPARATION.—Each school desiring a grant under this title shall prepare an application, in consultation with the appropriate local or intermediate educational agency, at such time, in such manner, and containing or accompanied by such information as the State educational agency may reasonably require, and shall submit such application to the local educational agency.

(B) DESIGNS.—In preparing an application under subparagraph (A), a school is encouraged to review and utilize, as appropriate, research, model projects and other activities conducted or sponsored by the New American Schools Development Corporation, federally funded educational research laboratories and centers, the Commission on National and Community Service, public and private nonprofit research organizations, the National Diffusion Network, and the Department of Education.

(C) REVIEW, COMMENT AND SUBMISSION.—(i) In submitting the application described in subparagraph (A) each local educational agency shall—

(I) review, comment and offer any recommendations regarding the application submitted by a school pursuant to subparagraph (A); and

(II) submit such application to the State educational agency within 30 days of receipt of such application.

(ii) In making the comments described in clause (i), the local educational agency shall—

(I) assure that funds received under this title shall supplement and not supplant other Federal, State, and local funds available to the school for the activities and services assisted under this title;

(II) provide data on the poverty level and the academic achievement of the students at the school;

(III) describe the resources and commitment that the local educational agency will contribute to a school assisted under this title to help the school meet the National Education Goals and improve the academic achievement of the students attending the school, including an assurance that the local

educational agency shall expedite action on requests for assistance made by such school;

(IV) describe steps the local educational agency will take to encourage and enhance comprehensive improvement in other schools in the local educational agency in order to meet the National Education Goals;

(V) assure that the local educational agency shall act as the fiduciary agent for a school receiving a grant under this title and shall expeditiously transmit to the school any grant funds received from the State educational agency under this title, except as provided in paragraph (2);

(VI) describe the technical assistance and dissemination activities that the local educational agency shall undertake to assist schools receiving a grant under this title; and

(VII) provide assurances that—

(aa) the application was originated by the school seeking such a grant;

(bb) all funds received under this title, except as provided in paragraph (2), shall be spent for the benefit of the school at the direction of local school officials; and

(cc) the activities assisted under this title shall be directed at the school.

(iii) Notwithstanding any other provision of law, if a local educational agency is unable or unwilling to act as a fiduciary agent for a school receiving a grant under this title in accordance with subclause (V) of clause (ii), then the State educational agency, in making such a grant to such a school, shall make alternative arrangements so that the school may receive the funds.

(2) LIMITATION.—Each local educational agency receiving a grant under this title on behalf of a school may use not more than 5 percent of such grant funds for administration, technical assistance, dissemination and evaluation of activities assisted under this title.

(3) CONTENTS.—Each application submitted pursuant to this subsection shall describe—

(A) the school's academic goals and the status of students in such school with respect to such goals;

(B) a comprehensive, schoolwide initiative likely to result in the school making substantial progress toward the National Education Goals, especially such goals related to the improvement of student achievement;

(C) the goals for the initiative and a multiyear plan to improve student achievement at the school;

(D) the steps to be taken by the school to achieve the goals of the initiative;

(E) the staff development activities to be conducted in implementing the initiative;

(F) efforts, if any, to link the activities of the school with federally supported teacher training and school leadership activities;

(G) the use of funds to achieve such goals;

(H) the statistical indicators to be used to measure progress toward achieving the National Education Goals, especially such goals related to the improvement of student achievement;

(I) the schedule for reporting the data described in subparagraph (H) to the State and the local community at least once a year beginning at the conclusion of the second year in which a grant payment under this title is made and annually thereafter and an assurance that such data shall be reported in a manner that is clear, and easily understandable;

(J) how the local educational agency will use funds, if any, reserved for the local educational agency under paragraph (2); and

(K) how the local educational agency and the school will meet the special educational

needs of limited-English proficient students and students with disabilities attending the school.

(4) ASSURANCES.—In preparing the application described in this subsection the school shall ensure that such application shall—

(A) be developed by school administrators, teachers, parents, and community-based organizations and local businesses, in consultation with the local educational agency; and

(B) give clear evidence that commitment to such project is widely shared in the school community.

(c) STATE REPORT.—Each State educational agency receiving an allotment under this title, after awarding grants under this title in each fiscal year, shall file a report with the Secretary indicating—

(1) the names and addresses of the schools that received a Neighborhood Schools Improvement Grant under this title;

(2) the improvement activities each school shall undertake and the expected results of such activities;

(3) the number of high need schools that have received a grant and the amount of such grants;

(4) the Council's reasons for the selection of each such school; and

(5) the amount of the grant awarded to each school.

SEC. 208. USE OF FUNDS.

(a) MANDATORY.—Each school receiving a grant under this title shall use such grant funds for an initiative to implement significant, comprehensive, schoolwide changes in the structure or programs of such school in a manner that shall help such school meet the National Education Goals, especially by improving student achievement.

(b) PERMISSIBLE.—Each school receiving a grant under this title may use such grant funds for—

(1) continuous and comprehensive early childhood education;

(2) enhanced academic programs, including supplementary instruction, efforts to improve higher order thinking skills, and activities to increase the participation of minority and female students in mathematics and science courses;

(3) school-based management programs designed to move more authority for decision-making to the school building level and increase the participation of teachers and parents in school governance;

(4) the provision of coordinated educational and vocational services within the school which may include comprehensive programs (developed with input from local, State and area business leaders) to provide options for those high school students unlikely to attend postsecondary school, that integrate essential academic instruction with technical skills, and provide the training necessary to succeed in a technical career;

(5) projects to increase the knowledge and skills of teachers and school leaders;

(6) educational enrichment projects to meet the needs of educationally and economically disadvantaged children, students with disabilities, and limited-English proficient students;

(7) projects to improve the condition and adequacy of school buildings, instructional facilities and equipment when such improvements are directly related to improving student achievement, except that no funds shall be used for construction or major remodeling;

(8) projects to strengthen parent involvement and parenting education and to increase the partnership between families and the schools;



(9) extended day and year projects, especially projects with an academic component;

(10) projects to increase the use of educational technology and integrate such technology into the instructional program of the school to improve student achievement;

(11) the implementation of measures to reduce class size and provide more individualized instruction;

(12) dropout prevention, re-entry, alternative programs and support activities for students at-risk of dropping out of school, or students who have returned to school;

(13) projects to educate students in alcohol and drug awareness and prevention;

(14) projects to educate students in gang awareness and gang violence prevention;

(15) service-learning and student community service projects; and

(16) any other initiative which will result in significant, comprehensive schoolwide changes in the structure or programs of such school.

#### SEC. 209. REQUIREMENTS RELATING TO USE OF ALLOTMENTS.

##### (a) RESERVATION.—

(1) IN GENERAL.—Each State educational agency receiving an allotment under this title shall reserve not less than 75 percent of such funds to award grants on a competitive basis to schools designated as high need schools in the State in accordance with section 207(a)(2).

(2) REMAINDER.—The remainder of funds not reserved pursuant to paragraph (1) shall be available to award grants on a competitive basis to any school that needs to improve student achievement, as determined by the State educational agency. In distributing funds under this paragraph, priority shall be given to schools with the lowest levels of academic achievement.

##### (b) SPECIAL RULES.—

(1) ADDITIONAL EFFORTS.—Each school receiving a grant under this title that requires additional efforts to implement the provisions of this title may use the first 6 months in which such grant is received for planning purposes if the State educational agency has approved such use.

(2) LIMITATION.—No school shall receive a grant under this title prior to January 1, 1993.

(c) DURATION.—Grants awarded under this title may be awarded for a period not to exceed 5 years and may be renewed if the State determines that the applicant has made meaningful progress in improving student achievement.

##### (d) AMOUNT.—

(1) IN GENERAL.—Each State educational agency receiving an allotment under this title shall award grants in accordance with the provisions of this title and in an amount that reflects, relative to other grants awarded under this title and in light of the proposed project, the size and economic profile of the student population to be served.

(2) MINIMUM AMOUNT.—Each State educational agency receiving an allotment under this title shall award a grant to a local educational agency for a school in an amount that is of sufficient size and scope to permit the school to conduct a significant comprehensive, schoolwide project.

#### SEC. 210. EVALUATION REQUIREMENTS.

(a) EVALUATION.—Each State educational agency receiving an allotment under this title shall evaluate the initiatives assisted under this title. Such evaluations shall be designed to ensure that such initiatives are being implemented satisfactorily and that schools receiving grants are making demonstrable progress in improving student

achievement or increasing the graduation rate.

(b) DATA.—Each local educational agency serving a school that receives a grant under this title shall annually collect and submit to the State educational agency data on the project assisted under this title based on the statistical indicators and other criteria described in the application submitted by the school. Such data shall include multiple measures or indicators of each National Education Goal, as available, and may take into consideration the mobility of students in the schools served under this title or other special factors.

#### SEC. 211. DISSEMINATION OF EXEMPLARY PRACTICES BY THE SECRETARY.

Each State educational agency shall submit to the Secretary information about successful Neighborhood Schools under its jurisdiction. The Secretary shall make summaries of such information available to schools that are undertaking, or planning to undertake improvement projects, regardless of whether such projects are assisted under this title, by means of the dissemination mechanisms established by the Secretary. The Secretary shall biennially provide to the Congress summaries of all data collected from and reports filed by schools, local educational agencies and State educational agencies pursuant to the requirements of this title.

#### SEC. 212. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$850,000,000 for fiscal year 1992 and such sums as may be necessary for each of the fiscal years 1993 through 2001 to carry out the provisions of this title, of which not more than \$75,000,000 shall be available in any one fiscal year to carry out the provisions of section 202(c)(1).

### TITLE III—EDUCATIONAL REFORM AND FLEXIBILITY

#### SEC. 301. STATEMENT OF FINDINGS AND PURPOSE.

##### (a) FINDINGS.—The Congress finds that—

(1) historically, Federal education programs have addressed the Nation's most pressing educational problems by providing categorical assistance with detailed requirements relating to the use of funds;

(2) while the approach described in paragraph (1) has proven generally successful, some program requirements may inadvertently impede educational achievement;

(3) the Nation's schools are being asked to deal effectively with increasingly diverse educational needs that current program structures may not be flexible enough to address; and

(4) in an era when educational change and reform must prevail, it is more important than ever to provide programs that—

(A) result in improved educational outcomes for all students;

(B) promote the coordination of education and related services that benefit children and their families;

(C) respond flexibly to the needs of a diverse student population;

(D) stop the proliferation of unnecessary Federal, State, and local regulation; and

(E) place less emphasis on measuring resources and reviewing procedures and more emphasis on achieving program results.

(b) PURPOSE.—It is the purpose of this title to establish a national demonstration program which—

(1) promotes educational reform that leads to improved educational outcomes for participants in affected programs;

(2) holds accountable the schools and other recipients of Federal funds for achieving spe-

cific educational improvement goals in exchange for increased flexibility in the use of their resources; and

(3) enables school and program administrators, teachers, parents, local agencies, and community groups to work together to develop effective education programs that lead to improved achievement and meet the needs of all participants, particularly those who are disadvantaged.

#### SEC. 302. FLEXIBILITY AND ACCOUNTABILITY IN EDUCATION AND RELATED SERVICES.

(a) IN GENERAL.—Subpart 1 of Part C of the General Education Provisions Act (20 U.S.C. 1221 et seq.) is amended by adding after section 421A a new section 421B to read as follows:

##### "SEC. 421B. FLEXIBILITY AND ACCOUNTABILITY IN EDUCATION AND RELATED SERVICES.

###### "(a) PROGRAM AUTHORIZED.—

"(1) IN GENERAL.—(A) The Secretary shall, in accordance with this section, assist elementary and secondary schools and other service providers to improve the achievement of all students and other participants, but particularly disadvantaged individuals, by authorizing waivers to not more than 6 States, which have implemented comprehensive regulatory reform plans, and no more than 50 local educational agencies in each State local educational agencies by which the States can improve the performance of schools and programs by increasing their flexibility in the use of their resources while holding them accountable for achieving educational gains.

"(B)(i) In support of these projects, the Secretary is authorized to waive any statutory or regulatory requirement (except as provided in subsection (e)) applicable to a program described in clause (ii) that the Secretary determines may impede the ability of a school or other service provider to meet the special needs of such students and other individuals in the most effective manner possible. The head of any other Federal agency in accordance with the programs described in clause (ii) is similarly authorized to waive such requirements applicable to an elementary, secondary, or youth vocational training program administered by such agency if the agency head and the Secretary agree that such a waiver would promote the purpose of this section.

"(ii) The Secretary shall only waive a statutory or regulatory requirement applicable to a program under—

"(I) chapter 1 of title I of the Elementary and Secondary Education Act of 1965;

"(II) chapter 2 of the Elementary and Secondary Education Act of 1965;

"(III) the Dwight D. Eisenhower Mathematics and Science Education Act;

"(IV) the Follow Through Act;

"(V) subtitle B of title VII of the Stewart B. McKinney Homeless Assistance Act; and

"(VI) the Carl D. Perkins Vocational and Applied Technology Education Act, except part H of title III and funds allocated by States under section 232 of such Act.

"(2) PROJECT DURATION.—Projects conducted under this section, and any waivers associated with such projects, shall last no longer than three years, except that the Secretary may extend a project and any associated waivers for an additional 2 years if the Secretary determines that the project is making substantial progress in meeting its goals.

"(3) TERMINATION.—The Secretary shall terminate a project and its associated waivers if the Secretary, at any time, determines

it is not making acceptable progress toward meeting its goals. The head of any other Federal agency who has granted waivers under this section shall determine whether to extend or terminate those waivers, but the Secretary shall have exclusive authority to extend or terminate the project.

“(b) ELIGIBILITY.—

“(1) IN GENERAL.—Each project that involves elementary or secondary schools shall include the participation of a local educational agency and at least 2 schools.

“(2) GRADE AND PROGRAM REQUIREMENT.—To the extent possible, each grade and academic program in a participating school shall participate in the project.

“(c) APPLICATIONS.—A local educational agency, wishing to conduct a project under this section, shall submit an application to the State educational agency for approval. The State educational agency shall then transmit approved applications to the Secretary. Each application shall be submitted within 2 years of enactment of the Neighborhood Schools Improvement Act and shall include a plan that—

“(1) describes the purposes and overall expected outcomes of the project;

“(2) identifies, for each school or site participating in the project, those impediments to improved educational outcomes that would be removed by the proposed waivers;

“(3) identifies the Federal programs to be included in the project, the Federal statutory or regulatory requirements to be waived, and the purpose and duration of the requested waivers;

“(4) describes the State and local requirements that will be waived, the purpose of such waivers, and, if such requirements will not have been waived before the project begins, when those waivers will be obtained and take effect;

“(5) demonstrates the State has made an effort to waive substantial requirements pertaining to the local educational agency;

“(6) describes specific, measurable, educational improvement goals for each school or other site in the project and for each school year of the project, including—

“(A) goals for improving the achievement of all participants, including disadvantaged individuals, with respect to achievement in basic and advanced skills;

“(B) goals that reflect the broad purposes of each program for which a waiver is sought; and

“(C) an explanation of how the applicant will measure progress in meeting the goals set for each school or site in the project and for disadvantaged individuals participating in the project;

“(7) incorporates the comments of the Governor or the chief State school officer; and

“(8) for projects involving elementary or secondary schools—

“(A) identifies the schools to be included in the project and describes the student population at each school, including—

“(i) current data regarding the achievement of the disadvantaged students as well as other students; and

“(ii) the number of students who—

“(I) are of limited English proficiency, as defined in section 7003(a)(1) of the Bilingual Education Act;

“(II) are children with disabilities, as defined in section 602(a)(1) of the Individuals with Disabilities Education Act;

“(III) are currently or formerly migratory;

“(IV) are educationally deprived, for the purposes of chapter 1 of title I of the Elementary and Secondary Education Act of 1965; and

“(V) are eligible for a free or reduced price school lunch;

“(B) describes specific goals for enhancing coordination between the regular education program available to all students and programs serving disadvantaged students;

“(C) if fewer than all the schools in a local educational agency will participate in a project, describes the expected educational outcomes for disadvantaged students in schools that do not participate, and how those outcomes will be assessed;

“(D) describes how school administrators, teachers, staff, and parents (including parents of educationally disadvantaged children) have been, or will be, involved in the planning, development, and implementation of the goals and program for each participating school; and

“(E) contains goals for students targeted by the programs described in clause (ii) of section 421B(a)(1)(B) which are comparable to, or exceed existing goals under such programs.

“(d) APPROVAL OF PROJECTS.—

“(1) IN GENERAL.—The Secretary shall approve applications from no more than 6 States which have implemented comprehensive regulatory reform, and no more than 50 local educational agencies in each State local educational agencies for projects under this section that the Secretary determines show substantial promise of achieving the purposes of this section, after considering—

“(A) the comprehensiveness of the project, including the types of students, schools, programs, and activities to be included;

“(B) the extent to which the provisions for which waivers are sought impede educational improvement;

“(C) the State and local requirements that will be waived for the project;

“(D) the significance and feasibility of the proposed project's goals for each participating school or site;

“(E) the quality of the plan for ensuring accountability for the proposed plan's activities and goals; and

“(F) the comments of the Governors or the chief State school officers.

“(2) CONSULTATION.—The Secretary shall consult with the heads of other appropriate Federal agencies, if any, in determining whether to approve a project. Each such agency head shall notify the Secretary of any waivers granted by such agency head as part of such project.

“(3) DISTRIBUTION OF PROJECTS.—The Secretary shall ensure that, to the extent feasible, projects assisted under this section are geographically distributed, and equitably distributed among urban, suburban, and rural areas, as well as large and small schools.

“(e) ALLOCATION OF FEDERAL FUNDS; RESTRICTION ON WAIVERS.—

“(1) ALLOCATION OF FEDERAL FUNDS.—Federal funds under any program that are used to support a project under this section shall be allocated to local educational agencies and other recipients within the local educational agency in accordance with the statutory and regulatory requirements that govern the operation of that program, except that, for the purpose of such a project, the Secretary (or the head of any other Federal agency) may extend the duration of, and provide continuation funding to, a project chosen on a competitive basis that a participating agency is conducting.

“(2) RESTRICTION ON WAIVERS.—Neither the Secretary nor the head of any other Federal agency shall waive under this section any statutory or regulatory requirement in

awarding a grant after the date of enactment of the Neighborhood Schools Improvement Act to a service provider within the local educational agency or other applicant participating in a project under this section.

“(3) SPECIAL RULE.—Neither the Secretary nor, where applicable, the head of any other Federal agency shall waive under this section any statutory or regulatory requirement—

“(A) under section 438 and 439 of the General Education Provisions Act;

“(B) under title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, title IX of the Education Amendments of 1972, or title II of the Americans with Disabilities Act;

“(C) under the Individuals with Disabilities Education Act; or

“(D) relating to—

“(i) maintenance of effort;

“(ii) comparability; or

“(iii) the equitable participation of students attending private schools.

“(f) REPORTS AND EVALUATIONS.—

“(1) PROJECT REPORTS.—Each project shall submit, not later than 90 days after the end of each year of the project, an annual report to the Secretary that—

“(A) summarizes the principal activities of the project;

“(B) contains school-by-school and other data, as described in the project plan, that show the extent to which the project is meeting its overall goals, including its goals for improving the achievement of all participants, particularly disadvantaged individuals, with respect to achievement in basic and advanced skills, and is meeting the goals for each school or other site;

“(C) describes the impact of the project on disadvantaged children in schools, if any, that are not participating in the demonstration;

“(D) describes the effectiveness of efforts to coordinate programs and services for children and their families as appropriate; and

“(E) provides information on or comparable data regarding the programs described in clause (ii) of section 428B(a)(1)(B) of achievement levels of students served pursuant to such programs previously demonstrated over the preceding 3 years compared with children or students served under this title.

“(2) SECRETARY'S REPORT.—The Secretary shall submit a report to the Congress every two years that summarizes and analyzes the project reports required by paragraph (1).

“(3) EVALUATION REPORTS.—At the end of the 6-year period described in this section, and at such interim points as the Secretary deems appropriate, the Secretary shall provide to Congress an independent evaluation of the projects assisted under this title, as well as an evaluation of the program assisted under this section by the Department of Education and other affected Federal agencies. Such reports may include recommendations for amendments to program statutes that are based on the experience of projects that successfully raise educational achievement by eliminating or modifying statutory or regulatory provisions that impede educational improvement.

“(g) DEFINITION.—For the purpose of this section, the term ‘disadvantaged students’ includes students of limited English proficiency, children with disabilities, students who are currently or formerly migratory, and students who are educationally deprived.

“(h) BUDGET NEUTRALITY.—The authority provided by this section shall not be exercised in a manner that, for any fiscal year,



increases total obligations or outlays of discretionary appropriations for programs subject to such authority, or that increases total obligations or outlays of funding for all direct-spending programs subject to such authority over those that would have occurred absent such authority."

(b) **SUNSET PROVISION.**—The amendment made by subsection (a) shall be effective during the 6-year period beginning on the date of enactment of this Act.

#### TITLE IV—DISTANCE LEARNING

##### SEC. 401. DISTANCE LEARNING FINDINGS.

Congress finds that—

(1) distance learning technology can provide rural schools with interactive video capacity;

(2) distance learning can provide instruction in required or advanced, specialized courses in schools where teachers are not available or too costly to provide for a limited number of students;

(3) the rapid development of telecommunications technology has resulted in distance learning systems that are powerful, flexible and increasingly affordable;

(4) distance learning can offer an alternative to school closing or consolidation and help rural and urban schools satisfy their educational mandate;

(5) distance learning can help urban school districts overcome shortages in qualified teachers in subjects such as mathematics, advanced sciences, and languages;

(6) the key to success in distance learning is teachers and the use of distance learning is meant to be an enhanced educational tool for them;

(7) teachers must have training, preparation, and institutional support to teach successfully using distance learning technology;

(8) teacher accreditation associations need to encourage the use of distance learning technologies;

(9) Federal and State governments can promote distance learning projects by helping reduce the costs of necessary telecommunications services;

(10) because many educational needs parallel the needs of business, government, and health care providers, there should be ample opportunity to share the costs associated with research and development used in delivering this new method of teaching;

(11) distance learning technology can increase contributions to the goals of "America 2000", as established by the President;

(12) the Federal Government can encourage States to resolve contentious issues that are barriers to the use of distance learning, such as teacher certification and evaluation, and curriculum and textbook standardization;

(13) Federal funds now devoted to delivering educational services should include distance learning where it is cost effective;

(14) the Department of Education and the National Science Foundation should consider establishing demonstration sites for distance learning;

(15) distance learning is a growing force in private and public education; and States, localities, the Federal Government, and private sector, all have a role in developing and implementing this education delivery system.

##### SEC. 402. DISTANCE LEARNING POLICY STUDY.

(a) **STUDY.**—The Secretary of Education in consultation with the Secretary of Commerce shall conduct a study of the issues involved in implementing distance learning. The study shall, among other issues, address—

(1) the incentives necessary for telecommunications common carriers to develop special pricing for distance learning projects;

(2) the desirability of Federal Communication Commission allocation of spectrum in order to encourage the development of distance learning technologies;

(3) the need to amend copyrights laws to encourage development of distance learning technologies.

(b) **COMPLETION DATE AND REPORT.**—

(1) **COMPLETION DATE.**—The study described in subsection (a) shall be completed no later than 210 days after enactment of this Act.

(2) **REPORT.**—No later than 30 days after the completion of the study described in subsection (a), the study and an executive summary shall be transmitted to the Committee on Education and Labor, the Committee on Energy and Commerce, and the Committee on the Judiciary, of the United States House of Representatives; and the Committee on Commerce, Science, and Transportation, Committee on the Judiciary, and the Committee on Labor and Human Resources, of the United States Senate.

##### SEC. 403. DEFINITION.

The term "distance learning" means the transmission of educational or instructional information to geographically dispersed individuals and groups via telecommunications.

#### TITLE V—PEACE CORPS

##### SEC. 501. FINDINGS.

The Senate finds that—

(1) the Peace Corps Act stated that the Peace Corps was established—

(A) to help the people of interested countries and areas to meet their needs for trained manpower;

(B) to help promote a better understanding of Americans on the part of the people served; and

(C) to help promote a better understanding of other peoples on the part of Americans;

(2) the former Union of Soviet Socialist Republics no longer exists, and in its place a Commonwealth of Independent States has been established, along with other newly independent republics;

(3) on December 25, 1991, President Bush indicated the United States intends to extend diplomatic recognition to Moldova, Turkmenistan, Azerbaijan, Tadjikistan, Georgia, and Uzbekistan, when the United States reaches agreements with each republic regarding human rights, democratization, economic reform, and the establishment of responsible security policies;

(4) on December 25, 1991, the United States extended formal diplomatic recognition to Russia, Ukraine, Armenia, Kazakhstan, Byelorussia, and Kyrgyzstan;

(5) the needs of the successor republics of the former Union of Soviet Socialist Republics for technical and humanitarian assistance are dire, and growing daily;

(6) the governments of several republics under the former Union of Soviet Socialist Republics have indicated interest in receiving public and private technical assistance from the United States in the areas of agriculture, health care, business, education, and other areas;

(7) the Peace Corps has in recent years successfully met the challenges of assisting the Eastern European states of Poland, Hungary, Czechoslovakia, Bulgaria, and Romania, and has already begun to assess the needs of the Baltic Republics and of the former Soviet republics for such assistance;

(8) Peace Corps volunteers represent tangible support on the part of the American people for the efforts of the republics to establish market economies, democratic insti-

tutions, and low-cost, effective programs of technical assistance in the areas described in paragraph (6); and

(9) the President has indicated his support for the introduction of Peace Corps volunteers into the successor republics of the former Union of Soviet Socialist Republics.

##### SEC. 502. SENSE OF THE SENATE.

It is the sense of the Senate that—

(1) the Peace Corps should move promptly and effectively, as part of a balanced program and without diminishing its efforts in other parts of the world, to assess needs and establish programs in each of the republics of the former Union of Soviet Socialist Republics into which the Peace Corps has been or may be invited, in order to introduce appropriate numbers of Peace Corps volunteers into republics requesting assistance; and

(2) the President, consistent with clause (1), should continue to support and should accelerate the introduction of Peace Corps volunteers into the republics of the former Union of Soviet Socialist Republics.

#### TITLE VI—MISCELLANEOUS

##### SEC. 601. IMPROVED STATISTICS REGARDING AMERICAN SCHOOLS.

Subparagraph (C) of section 406(i)(2) of the General Education Provisions Act (20 U.S.C. 1221e-1(i)(2)(C)) is amended—

(1) by redesignating clauses (iii), (iv), and (v) as clauses (iv), (v), and (vi), respectively;

(2) by inserting after clause (ii) the following new clause:

"(iii) The National Assessment shall—

"(I) conduct, in 1994, a trial mathematics assessment for the 4th and 8th grades and a trial reading assessment for the 4th grade, in States that wish to participate, for the purpose of determining whether such assessments yield valid and reliable State representative data;

"(II) develop, and conduct in 1994, a trial mathematics assessment for the 12th grade, a trial reading assessment for the 8th and 12th grades, and a trial science assessment for the 4th, 8th, and 12th grades, in States that wish to participate, for the purpose of determining whether such assessments yield valid and reliable State representative data; and

"(III) include in each such sample assessment described in subclauses (I) and (II) students in public and private schools in a manner that ensures comparability with the national sample."

##### SEC. 602. FREEDOM OF SPEECH ON CAMPUS.

(a) **FINDINGS.**—The Congress finds that—

(1) free speech is a fundamental right and a safeguard against political and intellectual tyranny;

(2) curtailment of free speech strikes twice at intellectual freedom, for whoever deprives a person of the right to state unpopular views necessarily deprives other persons of the right to listen to the views;

(3) the primary and traditional function of a university is to disseminate knowledge and assist in the search for truth, and, in order to carry out the function, to do everything possible to ensure the free exchange of ideas and the fullest degree of intellectual freedom; and

(4) therefore, to carry out the function of the university, every member of the university, has an obligation to permit free expression, and every university official has a special obligation to foster freedom of speech and to ensure that the speech is not obstructed, at the university.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that students attending universities, or other institutions of higher edu-

cation, that receive Federal funds should be able to exercise full rights to freedom of speech on campus free from official intrusion.

#### SEC. 603. TECHNICAL AMENDMENT.

In the item relating to Educational Excellence in title III of Public Law 102-170 (105 Stat. 1130) insert "or any educational reform program" after "America 2000 educational excellence activities".

#### SEC. 604. GENERAL ACCOUNTING OFFICE REPORT ON THE EFFECT OF TAX INCENTIVES ON LOCAL PUBLIC SCHOOL FINANCE.

Within 180 days after the date of enactment, the Comptroller General of the United States shall prepare and submit to the chairman and ranking minority member of the Senate Committee on Labor and Human Resources a study on the nature and extent of tax abatements given by State and local governments to attract business and the extent to which such abatements:

- (1) reduce the tax base available to support public elementary and secondary education in the jurisdiction granting the abatement,
- (2) reduce the funds available to support elementary and secondary schools in the jurisdiction granting the abatement, and
- (3) review the extent to which citizens in the State and local community granting the abatement realize the potential impact of the abatement on funding for local public schools.

#### TITLE VII—DEFINITIONS

##### SEC. 701. DEFINITIONS.

For the purpose of this Act—

(1) the term "elementary school" has the same meaning given to such term by section 1471(8) of the Elementary and Secondary Education Act of 1965;

(2) the term "institution of higher education" has the meaning given to such term by section 1201(a) of the Higher Education Act of 1965;

(3) the term "local educational agency" has the same meaning given to such term by section 1471(12) of the Elementary and Secondary Education Act of 1965;

(4) the term "new public school" means a public school that—

(A) reflects the best available knowledge regarding teaching and learning for all students;

(B) uses the highest quality instructional materials and technologies;

(C) is designed to meet National Education Goals as well as the particular needs of the students and community served by such school; and

(D) is under the authority of a State educational agency or a local educational agency;

(5) the term "New American School" means an elementary or secondary public school that—

(A) has the authority of a State educational agency or a local educational agency;

(B) reflects the best available knowledge regarding teaching and learning for all students;

(C) uses the highest quality instructional materials and technologies; and

(D) is designed to meet the National Education Goals as well as the particular needs of the students and community served by such school;

(6) the term "Pacific outlying area" means American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau (until such time as the Compact of Free Association is ratified);

(7) the term "school dropout" has the same meaning as the definition of such term de-

veloped by the Secretary pursuant to section 6201(a) of the Elementary and Secondary Education Act of 1965;

(8) the term "secondary school" has the same meaning given to such term by section 1471(21) of the Elementary and Secondary Education Act of 1965;

(9) the term "Secretary", unless otherwise specified, means the Secretary of Education;

(10) the term "school", means a public elementary or secondary school;

(11) the term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico and the Virgin Islands; and

(12) the term "State educational agency" has the same meaning given to such term by section 1471(23) of the Elementary and Secondary Education Act of 1965.

Mr. KENNEDY. Mr. President, I move to reconsider the vote.

Mr. MITCHELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Without objection, the title amendment is agreed to.

The title was amended so as to read: "A bill to promote the achievement of National Education Goals, to measure progress toward such goals, to develop national education standards and voluntary assessments in accordance with such standards and to encourage the comprehensive improvement of America's neighborhood public schools to improve student achievement."

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### STATE OF THE UNION—MESSAGE FROM THE PRESIDENT—PM 99

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was ordered to lie on the table:

*To the Congress of the United States:*

Mr. Speaker, Mr. President, distinguished Members of Congress, honored guests, and fellow citizens:

I mean to speak tonight of big things; of big changes and the promises they hold, and of some big problems and how together we can solve them and move our country forward as the undisputed leader of the age.

We gather tonight at a dramatic and deeply promising time in our history, and in the history of man on earth.

For in the past twelve months the world has known changes of almost biblical proportions. And even now, months after the failed coup that doomed a failed system, I am not sure we have absorbed the full impact, the full import of what happened. But communism died this year.

Even as President, with the most fascinating possible vantage point, there were times when I was so busy helping to manage progress, and lead change, that I didn't always show the joy that was in my heart.

But the biggest thing that has happened in the world in my life—in our lives—is this: By the grace of God, America won the Cold War.

I mean to speak this evening of the changes that can take place in our country now that we can stop making the sacrifices we had to make when we had an avowed enemy that was a Superpower. Now we can look homeward even more, and move to set right what needs to be set right.

I will speak of those things. But let me tell you something I've been thinking these past few months. It's a kind of rollcall of honor. For the Cold War didn't "end"—it was won.

And I think of those who won it, in places like Korea, and Vietnam. And some of them didn't come back. Back then they were heroes, but this year they became what they didn't know they were: victors.

The long rollcall—all the G.I. Joes and Janes, all the ones who fought faithfully for freedom, who hit the ground and sucked the dust and knew their share of horror.

This may seem frivolous—I don't mean it so—but it's moving to me how the world saw them.

The world saw not only their special valor but their special style—their rambunctious, optimistic bravery, their do-or-die unity unhampered by class or race or region. What a group we've put forth, for generations now—from the ones who wrote "Kilroy was Here" on the walls of German stalags, to those who left signs in the Iraqi desert that said, "I Saw Elvis." What a group of kids we've sent into the world.

And there's another to be singled out—though it may seem inelegant. I mean a mass of people called The American Taxpayer. No one ever thinks to thank the people who pay a country's bills, or an alliance's bills.



But for half a century now the American people have shouldered the burden, and paid taxes that were higher than they would have been to support a defense that was bigger than it would have been if imperial communism had never existed.

But it did.

But it doesn't anymore.

And here is a fact I wouldn't mind the world acknowledging: The American taxpayer bore the brunt of the burden, and deserves a hunk of the glory.

And so, now, for the first time in 35 years, our strategic bombers stand down. No longer are they on 'round-the-clock alert. Tomorrow our children will go to school and study history and how plants grow. And they won't have, as my children did, air raid drills in which they crawl under their desks and cover their heads in case of nuclear war. My grandchildren don't have to do that, and won't have the bad dreams children had once, in decades past. There are still threats. But the long, drawn out dread is over.

A year ago tonight I spoke to you at a moment of high peril. American forces had just unleashed Operation Desert Storm. And after forty days in the desert skies, and four days on the ground, the men and women of America's Armed Forces, and our allies, accomplished the goals that I declared, and that you endorsed: We liberated Kuwait.

Soon after, the Arab world and Israel sat down to talk seriously, and comprehensively, about peace—an historic first. And soon after that, at Christmas, the last American hostages came home. Our policies were vindicated.

Much good can come from the prudent use of power. And much good can come of this: A world once divided into two armed camps now recognizes one sole and pre-eminent power: the United States of America.

And they regard this with no dread. For the world trusts us with power—and the world is right. They trust us to be fair, and restrained, they trust us to be on the side of decency. They trust us to do what's right.

I use those words advisedly. A few days after the war began I received a telegram from Joanne Speicher, the wife of the first pilot killed in the Gulf, Lt. Commander Scott Speicher. Even in her grief she wanted me to know that some day, when her children were old enough, she would tell them "... that their father went away to war because it was the right thing to do."

She said it all. It was the right thing to do.

And we did it together. There were honest differences here, in this Chamber. But when the war began, you put partisanship aside, and supported our troops.

This is still a time for pride—but this is no time to boast. For problems face

us, and we must stand together once again and solve them—and not let our country down.

Two years ago I began planning cuts in military spending that reflected the changes of the new era. But now, this year, with imperial communism gone, that process can be accelerated.

Tonight I can tell you of dramatic changes in our strategic nuclear force. These are actions we are taking on our own—because they are the right thing to do.

After completing 20 planes for which we have begun procurement, we will shutdown further production of the B-2 bomber. We will cancel the small I.C.B.M. program. We will cease production of new warheads for our sea-based ballistic missiles. We will stop all new production of the Peacekeeper missile. And we will not purchase any more advanced cruise missiles.

This weekend I will meet at Camp David with Boris Yeltsin of the Russian Federation. I have informed President Yeltsin that if the Commonwealth—the former Soviet Union—will eliminate all land-based multiple warhead ballistic missiles, I will do the following:

We will eliminate all Peacekeeper missiles. We will reduce the number of warheads on Minuteman missiles to one, and reduce the number of warheads on our sea-based missiles by about one-third. And we will convert a substantial portion of our strategic bombers to primarily conventional use.

President Yeltsin's early response has been very positive, and I expect our talks at Camp David to be fruitful.

I want you to know that for half a century, American presidents have longed to make such decisions and say such words. But even in the midst of celebration, we must keep caution as a friend.

For the world is still a dangerous place. Only the dead have seen the end of conflict. And though yesterday's challenges are behind us, tomorrow's are being born.

The Secretary of Defense recommended these cuts after consultation with the Joint Chiefs of Staff. And I make them with confidence. But do not misunderstand me:

The reductions I have approved will save us an additional 50 billion dollars over the next five years. By 1997 we will have cut defense by 30% since I took office. These cuts are deep, and you must know my resolve: This deep, and no deeper.

To do less would be insensible to progress—but to do more would be ignorant of history.

We must not go back to the days of "the hollow army". We cannot repeat the mistakes made twice in this century, when armistice was followed by recklessness, and defense was purged as if the world were permanently safe.

I remind you this evening that I have asked for your support in funding a

program to protect our country from limited nuclear missile attack. We must have this protection because too many people in too many countries have access to nuclear arms.

There are those who say that now we can turn away from the world, that we have no special role, no special place.

But we are the United States of America, the leader of the west that has become the leader of the world.

As long as I am President we will continue to lead in support of freedom everywhere—not out of arrogance, and not out of altruism, but for the safety and security of our children.

This is a fact: Strength in the pursuit of peace is no vice; isolationism in the pursuit of security is no virtue. Now to our troubles at home. They are not all economic, but the primary problem is our economy. There are some good signs: Inflation, that thief, is down; and interest rates are down. But unemployment is too high, some industries are in trouble, and growth is not what it should be.

Let me tell you right from the start and right from the heart: I know we're in hard times, but I know something else: This will not stand.

My friends in this Chamber: We can bring the same courage and sense of common purpose to the economy that we brought to Desert Storm. And we can defeat hard times together.

I believe you will help. One reason is that you're patriots, and you want the best for your country. And I believe that in your hearts you want to put partisanship aside and get the job done—because it's the right thing to do.

The power of America rests in a stirring but simple idea: That people will do great things if only you set them free.

Well, we're going to set the economy free, for if this age of miracles and wonders has taught us anything, it's that if we can change the world, we can change America.

We must encourage investment. We must make it easier for people to invest money and create new products, new industries, and new jobs. We must clear away the obstacles to growth—high taxes, high regulation, red tape, and yes, wasteful government spending.

None of this will happen with a snap of the fingers—but it will happen. And the test of a plan isn't whether it's called new or dazzling. The American people aren't impressed by gimmicks; they're smarter on this score than all of us in this room. The only test of a plan is: Is it sound and will it work?

We must have a short term plan to address our immediate needs, and heat up the economy. And we need a long term plan to keep the combustion going, and to guarantee our place in the world economy.

There are certain things that a President can do without Congress—And I am going to do them.

I have this evening asked major cabinet departments and federal agencies to institute a 90 day moratorium on any new federal regulations that could hinder growth. In those 90 days major departments and agencies will carry out a top to bottom review of all regulations, old and new—to stop the ones that will hurt growth, and speed up those that will help growth.

Further, for the untold number of hard working, responsible American workers and businessmen and women, who've been forced to go without needed bank loans: The banking credit crunch must end. I won't neglect my responsibility for sound regulations that serve the public good, but regulatory overkill must be stopped.

And I have instructed our government regulators to stop it.

I have directed cabinet departments, and federal agencies, to speed up pro-growth expenditures as quickly as possible. This should put an extra 10 billion dollars into the economy in the next 6 months. And our new transportation bill provides more than 150 billion dollars for construction and maintenance projects that are vital to our growth and well being. That means jobs building roads, jobs building bridges, and jobs building railways.

I have this evening directed the Secretary of the Treasury to change the federal tax withholding tables. With this change, millions of Americans from whom the government withholds more than necessary can now choose to have the government withhold less from their paychecks. Something tells me a number of taxpayers may take us up on this. This initiative could return about 25 billion dollars back into our economy over the next 12 months—money people can use to help pay for clothing, college, or to get a new car.

Finally, working with the Federal Reserve, we will continue to support monetary policy that keeps both interest rates and inflation down.

These are the things I can do. And now, members of Congress, let me tell you what you can do for your country. You must pass the other elements of my plan to meet our immediate economic needs.

Everyone knows that investment spurs recovery.

I am proposing this evening a change in the alternative minimum tax, and the creation of a new 15% investment tax allowance. This will encourage businesses to accelerate investment and bring people back to work.

Real estate has led our economy out of almost all the tough times we've ever had. Once building starts, carpenters and plumbers work and people buy homes and take out mortgages.

My plan would modify the Passive Loss Rule for active real estate developers. And it would make it easier for pension plans to purchase real estate.

For those Americans who dream of buying a first home, but who can't

quite afford it, my plan would allow first time home buyers to withdraw savings from I.R.A.'s without penalty—and provide a five thousand dollar tax credit for the first purchase of that home.

And finally, my immediate plan calls on Congress to give crucial help to people who own a home, to everyone who has a business, or a farm, or a single investment.

This time, at this hour, I cannot take No for an answer: You must cut the capital gains tax on the people of our country.

Never has an issue been more demagogued by its opponents. But the demagogues are wrong—and they know it. Sixty percent of the people who benefit from lower capital gains have incomes under 50 thousand dollars. A cut in the capital gains tax increases jobs and helps just about everyone in our country.

And I'll tell you, those of you who say, "Oh no, someone who's comfortable may benefit from this." You kind of remind me of the old definition of the Puritan, who couldn't sleep at night worrying that somehow someone somewhere was out having a good time.

The opponents of this measure—and those who've authored various so called soak-the-rich bills that are floating around this chamber—should be reminded of something: When they aim at the big guy they usually hit the little guy. And maybe it's time that stopped.

This then is my short term plan. Your part, members of Congress, requires enactment of these common sense proposals that will have a strong effect on the economy—without breaking the budget agreement and without raising tax rates.

While my plan is being passed and kicking in, we've got to care for those in trouble today. I have provided up to 4.4 billion dollars in my budget to extend Federal unemployment benefits. I ask for Congressional action right away.

And let's be frank:

I know, and you know, that my plan is unveiled in a political season. I know, and you know, that everything I propose will be viewed by some in merely partisan terms. But I ask you to know what is in my heart: My aim is to increase our nation's good. I am doing what I think is right; I am proposing what I know will help.

I pride myself that I am a prudent man. I believe that patience is a virtue, but I understand that politics is, for some, a game—and that sometimes the game is to stop all progress and then decry the lack of improvement.

But let me tell you: far more important than my political future—and far more important than yours—is the well being of our country. Members of this Chamber are practical people, and I know you won't resent some practical

advice: When people put their party's fortunes before the public good, they court defeat not only for their country, but for themselves. And they will certainly deserve it.

I submit my plan tomorrow. I am asking you to pass it by March 20th. And I ask the American people to let you know they want this action by March 20th.

From the day after that, if it must be: the battle is joined.

And you know, when principle is at stake I relish a good fair fight.

I said my plan has two parts, and it does. And it is the second part that is the heart of the matter. For it's not enough to get an immediate burst—we need long term improvement in our economic position.

We all know that the key to our economic future is to ensure that America continues as the economic leader of the world. We have that in our power.

Here, then, is my long term plan to guarantee our future.

First, trade: We will work to break down the walls that stop world trade. We will work to open markets everywhere.

In our major trade negotiations I will continue pushing to eliminate tariffs and subsidies that damage America's farmers and workers. And we'll get more good American jobs within our own hemisphere through the North American Free Trade Agreement, and through the Enterprise for the Americas Initiative.

But changes are here, and more are coming. The workplace of the future will demand more highly skilled workers than ever—more people who are computer literate, and highly educated.

We must be the world's leader in education. We must revolutionize America's schools.

My America 2000 education strategy will help us reach that goal. My plan will give parents more choice, give teachers more flexibility, and help communities create New American Schools.

Thirty states across the nation have established America 2000 programs. Hundreds of cities and towns have joined in.

Now Congress must join this great movement: Pass my proposals for New American Schools.

That was my second long term proposal. This is my third:

We must make common sense investments that will help us compete, long term, in the marketplace.

We must encourage research and development. My plan is to make the R and D tax credit permanent, and to provide record levels of support—over 76 billion dollars this year alone—for people who will explore the promise of emerging technologies.

Fourth, we must do something about crime, and drugs.



It is time for a major, renewed investment in fighting violent street crime. It saps our strength and hurts our faith in our society, and in our future together.

Surely a tired woman on her way to work at 6 in the morning on a subway deserves the right to get there safely. Surely it's true that everyone who changes his or her life because of crime—from those afraid to go out at night to those afraid to walk in the parks they pay for—surely these people have been denied a basic civil right.

It is time to restore it. Congress, pass my comprehensive crime bill. It is tough on criminals and supportive of police—and it has been languishing in these hallowed halls for years now.

Pass it. Help your country.

Fifth, I ask you tonight to fund our H.O.P.E. housing proposal—and to pass my Enterprise Zone legislation, which will get businesses into the inner city. We must empower the poor with the pride that comes from owning a home, getting a job, becoming a part of things.

My plan would encourage real estate construction by extending tax incentives for mortgage revenue bonds and low income housing.

And I ask tonight for record expenditures for the program that helps children born into want move into excellence: Head Start.

Step six—we must reform our health care system. For this too bears on whether or not we can compete in the world.

American health costs have been exploding. This year America will spend over 800 billion dollars on health. And that's expected to grow to 1.6 trillion by the end of the decade. We simply cannot afford this.

The cost of health care shows up not only in your family budget, but in the price of everything we buy and everything we sell. When health coverage for a fellow on an assembly line costs thousands of dollars, the cost goes into the products he makes—and you pay the bill.

We must make a choice.

Some pretend we can have it both ways. They call it Play or Pay—but that expensive approach is unstable. It will mean higher taxes, fewer jobs and, eventually, a system under complete government control.

Really, there are only two options: We can move toward a nationalized system—which will restrict patient choice in picking a doctor and force the government to ration services arbitrarily. And what we'll get is patients in long lines, indifferent service, and a huge new tax burden.

Or we can reform our own private health care system—which still gives us, for all its flaws, the best quality health care in the world.

Well, let's build on our strengths.

My plan provides insurance security for all Americans—while preserving

and increasing the idea of choice. We make basic health insurance affordable for all low income people not now covered. We do it by providing a health insurance tax credit of up to \$3,750 for each low income family. The middle class gets new help too. And, by reforming the health insurance market, my plan assures that Americans will have access to basic health insurance even if they change jobs or develop serious health problems.

We must bring costs under control, preserve quality, preserve choice, and reduce the people's nagging daily worry about health insurance. My plan, the details of which I will announce shortly, does just that.

Seventh, we must get the federal deficit under control.

We now have in law enforceable spending caps, a requirement that we pay for the programs we create.

There are those in Congress who would ease that discipline now. But I cannot let them do it—and I won't.

My plan would freeze all domestic discretionary budget authority—which means "No more next year than this year." I will not tamper with Social Security, but I would put real caps on the growth of uncontrolled spending. I would also freeze federal domestic government employment.

With the help of Congress, my plan will get rid of 246 programs that don't deserve federal funding. Some of them have noble titles, but none of them is indispensable. We can get rid of each and every one of them.

You know, it's time we rediscovered a 'home truth' the American people have never forgotten: This government is too big and spends too much.

I call upon Congress to adopt a measure that will help put an end to the annual ritual of filling the budget with pork-barrel appropriations. Every year, the press has a field day making fun of outrageous examples—a Lawrence Welk museum, a research grant for Belgian Endive.

We all know how these things get into the budget. Maybe you need someone to help you say No. I know how to say it. And you know what I need to make it stick. Give me the same thing 43 Governors have: The line item veto.

We must put an end to unfunded federal government mandates. These are the requirements Congress puts on our cities, counties and states—without supplying the money. If Congress passes a mandate, it should be forced to pay for it, and to balance the cost with savings elsewhere. After all, a mandate just increases someone else's burden—and that means higher taxes at the state and local level.

Step Eight: Congress should enact the bold reform proposals that are still awaiting Congressional action—bank reform, civil justice reform, tort reform, and my national energy strategy.

Finally: We must strengthen the family—because it is the family that has the greatest bearing on our future. When Barbara holds an AIDS baby in her arms, and reads to children, she's saying to every person in this country "Family matters."

I am announcing tonight a new Commission on America's Urban Families. You know, I had mayors from the League of Cities in the other day, and they told me something striking. They said that every one of them, Republicans and Democrats, agreed on one thing: That the major cause of the problems of the cities is the dissolution of the family.

They asked for this Commission, and they were right to ask, because it's time to determine what we can do to keep families together, strong and sound.

There's one thing we can do right away: ease the burden of rearing a child. I ask you tonight to raise the personal exemption by five hundred dollars per child for every family. For a family with four kids, that's an increase of two thousand dollars. This is a good start, in the right direction, and it's what we can afford.

It's time to allow families to deduct the interest they pay on student loans. I am asking you to do just that. And I'm asking you to allow people to use money from their I.R.A.'s to pay medical and education expenses—all without penalties.

And I'm asking for more. Ask American parents what they dislike about how things are in our country, and chances are good that pretty soon they'll get to welfare.

Americans are the most generous people on earth. But we have to go back to the insight of Franklin Roosevelt who, when he spoke of what became the welfare program, warned that it must not become "a narcotic" and a "subtle destroyer" of the spirit.

Welfare was never meant to be a lifestyle; it was never meant to be a habit; it was never supposed to be passed from generation to generation like a legacy.

It's time to replace the assumptions of the welfare state, and help reform the welfare system.

States throughout the country are beginning to operate with new assumptions: That when able-bodied adults receive government assistance, they have responsibilities to the taxpayer. A responsibility to seek work, education, or job training—a responsibility to get their lives in order—a responsibility to hold their families together and refrain from having children out of wedlock—and a responsibility to obey the law.

We are going to help this movement. Often, state reform requires waiving certain federal regulations. I will act to make that process easier and quicker for every state that asks our help.

And I want to add, as we make these changes, that our intention isn't

scapegoating or finger pointing. If you read the papers or watch TV you know there's been a rise these days in a certain kind of bitterness, racist comments, anti-semitism, an increased sense of division.

Really, this is not us. This is not who we are. And this is not acceptable.

And so you have my plan for America. I am asking for big things—but I believe in my heart you will do what's right.

You know, it's kind of an American tradition to show a certain skepticism toward our democratic institutions. I myself have sometimes thought the aging process could be delayed if it had to make its way through Congress.

You will deliberate, and you will discuss, and that is fine.

But, my friends: the people cannot wait. They need help now.

There is a mood among us. People are worried, there has been talk of decline. Someone even said our workers are lazy and uninspired.

And I thought, really. Go tell Neil Armstrong standing on the moon. Tell the men and women who put him there. Tell the American farmer who feeds his country and the world. Tell the men and women of Desert Storm.

Moods come and go, but greatness endures.

Ours does.

And maybe for a moment it's good to remember what, in the dailyness of our lives, we forget:

We are still and ever the freest nation on earth—the kindest nation on earth—the strongest nation on earth—

And we have always risen to the occasion.

We are going to lift this nation out of hard times inch by inch and day by day, and those who would stop us had best step aside. Because I look at hard times and I make this vow: This will not stand.

And so we move on, together, a rising nation, the once and future miracle that is still, this night, the hope of the world.

Thank you. God bless you. God bless our beloved country.

#### MESSAGES FROM THE HOUSE

At 2:45 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 267. A concurrent resolution relative to a joint session of the two Houses of Congress on Tuesday, January 28, 1992, to receive a communication from the President of the United States.

The message also announced that the House has agreed to the following resolution:

H. Res. 329. A resolution informing the Senate that a quorum of the House is present

and that the House is ready to proceed with business.

The message further announced that pursuant to the provisions of Public Law 102-138, the Speaker appoints from private life Mr. Ben J. Wattenberg of Washington, DC, and Mr. Leonard H. Marks of Washington, DC, to the Commission on Broadcasting to the People's Republic of China on the part of the House.

The message also announced that pursuant to section 5(a)(2) of Public Law 101-363, the minority leader appoints Mrs. MORELLA to serve as a member on the part of the House of the National Advisory Council on the Public Service Act of 1990.

The message further announced that pursuant to the provisions of Public Law 102-138, on November 22, 1991, the minority leader notified the President of his appointment from private life of Mr. Steven Mosher of Upland, CA, and Mr. James L. Tyson of Darien, CT, to the Commission on Broadcasting to the People's Republic of China on the part of the House.

The message also announced that pursuant to the provisions of section 5506(a) of Public Law 100-297, on April 25, 1991, the Speaker designated the following as members of the Advisory Committee of the White House Conference on Indian Education on the part of the House: Representatives CAMPBELL of Colorado and BARRETT; and from private life: Mr. Don Barlow of Spokane, WA, Mr. Joseph Martin of Kayenta, AZ, and Mrs. Kathryn D. Manuelito of Albuquerque, NM.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2447. A communication from the Assistant Secretary of Energy (Fossil Energy), transmitting, pursuant to law, notice of the Department's designation of an additional candidate site for the expansion of the Strategic Petroleum Reserve to one billion barrels; to the Committee on Energy and Natural Resources.

EC-2448. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a cumulative report on budget rescissions and deferrals dated January 9, 1992, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, referred jointly to the Committee on Appropriations, the Committee on the Budget, the Committee on Agriculture, Nutrition and Forestry, the Committee on Commerce, Science and Transportation, the Committee on Environment and Public Works, the Committee on Finance, and the Committee on Foreign Relations.

EC-2449. A communication from the Director of the Congressional Budget Office, transmitting, pursuant to law, the final sequestration report for fiscal year 1992, pursuant to the order of January 30, 1975, as modified

by the order of April 11, 1986, referred jointly to the Committee on Appropriations, the Committee on the Budget, the Committee on Agriculture, Nutrition and Forestry, the Committee on Armed Services, to the Committee on Banking, Housing and Urban Affairs, the Committee on Commerce, Science and Transportation, the Committee on Energy and Natural Resources, the Committee on Environment and Public Works, the Committee on Finance, the Committee on Foreign Relations, the Committee on Governmental Affairs, the Committee on the Judiciary, the Committee on Labor and Human Resources, the Committee on Rules and Administration, the Committee on Small Business, the Committee on Veterans' Affairs, the Special Committee on Aging, the Select Committee on Intelligence, and Select Committee on Indian Affairs.

EC-2450. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a cumulative report on budget rescissions and deferrals dated January 13, 1992, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, referred jointly to the Committee on Appropriations, the Committee on the Budget, the Committee on Agriculture, Nutrition and Forestry, the Committee on Armed Services, the Committee on Banking, Housing and Urban Affairs, the Committee on Commerce, Science and Transportation, the Committee on Energy and Natural Resources, the Committee on Environment and Public Works, the Committee on Finance, the Committee on Foreign Relations, the Committee on Governmental Affairs, the Committee on the Judiciary, the Committee on Labor and Human Resources, the Committee on Rules and Administration, the Committee on Small Business, the Committee on Veterans' Affairs, the Select Committee on Indian Affairs, the Select Committee on Intelligence, the Special Committee on Aging, and the Select Committee on POW/MIA Affairs.

EC-2451. A communication from the Assistant Secretary of the Treasury (Enforcement), transmitting, pursuant to law, a report concerning the effectiveness and utility of the reporting requirements of the Bank Secrecy Act and section 6050I of the Internal Revenue Code; to the Committee on Banking, Housing and Urban Affairs.

EC-2452. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report on the extension of the export controls maintained for foreign policy purposes; to the Committee on Banking, Housing and Urban Affairs.

EC-2453. A communication from the Secretary of the Treasury, Chairman of the Securities and Exchange Commission, Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, a report on the government securities market; to the Committee on Banking, Housing and Urban Affairs.

EC-2454. A communication from the Director of the Congressional Budget Office, transmitting, pursuant to law, a sequestration preview report for fiscal year 1993, pursuant to the order of August 4, 1977; referred jointly to the Committee on the Budget, and to the Committee on Governmental Affairs.

EC-2455. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, certification for the country of Suriname; to the Committee on Commerce, Science, and Transportation.

EC-2456. A communication from the Secretary of Commerce, transmitting, pursuant



to law, an annual report on the activities of the National Technical Information Service for fiscal year 1990; to the Committee on Commerce, Science, and Transportation.

EC-2457. A communication from the Acting Secretary of Transportation, transmitting, pursuant to law, a report entitled "Joint Task Force Report on Offshore Pipelines"; to the Committee on Commerce, Science, and Transportation.

EC-2458. A communication from the President of the United States, transmitting, pursuant to law, a report concerning the countries of Costa Rica, France, Italy, Japan, and Panama being under an embargo; to the Committee on Commerce, Science, and Transportation.

EC-2459. A communication from the President of the United States, transmitting, pursuant to law, a report concerning the countries of Venezuela and Vanuatu being under a court-ordered embargo; to the Committee on Commerce, Science, and Transportation.

EC-2460. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report of the independent certified public accountants' audit of the Trans-Alaska Pipeline Liability Fund's financial statements as of December 31, 1990; to the Committee on Energy and Natural Resources.

EC-2461. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2462. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report on mining and mineral resources; to the Committee on Energy and Natural Resources.

EC-2463. A communication from the Acting Deputy Assistant Secretary, Department of the Interior, transmitting a draft of proposed legislation to amend the Helium Act Amendments of 1960 to authorize Federal agencies to purchase helium from the private sector, and for other purposes; to the Committee on Energy and Natural Resources.

EC-2464. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, an annual report of the task force; to the Committee on Environment and Public Works.

EC-2465. A communication from the Assistant Secretary of the Interior, transmitting, pursuant to law, a draft of proposed legislation to rename the Klamath Forest National Wildlife Refuge; to the Committee on Environment and Public Works.

EC-2466. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, an annual report for fiscal year 1991; to the Committee on Environment and Public Works.

EC-2467. A communication from the Assistant Secretary for Import Administration, Department of Commerce, transmitting, pursuant to law, an annual report on the activities of Foreign-Trade Zones Board for fiscal year 1990; to the Committee on Finance.

EC-2468. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the annual report of the United States Government for the fiscal year ended September 30, 1991; to the Committee on Finance.

EC-2469. A communication from the Administrator for the Agency for International Development, transmitting, pursuant to law,

an annual report on the Program's portfolio and finances; to the Committee on Foreign Relations.

EC-2470. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, a report regarding El Salvador; to the Committee on Foreign Relations.

EC-2471. A communication from the Assistant Legal Adviser of State (Legislative Affairs), transmitting, pursuant to law, a report on international agreements other than treaties entered into by the United States in the sixty day period prior to January 16, 1992; to the Committee on Foreign Relations.

EC-2472. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on civil monetary penalty assessments, collections, and status of receivables for fiscal year 1991; to the Committee on Governmental Affairs.

EC-2473. A communication from the Chairman of the Oversight Board of the Resolution Trust Corporation, transmitting, pursuant to law, an annual report on the status of the entity's audit and investigative coverage; to the Committee on Governmental Affairs.

EC-2474. A communication from the Director of Office and Management and Budget, Executive Office of the President, transmitting, pursuant to law, an annual report on civil monetary penalty assessments, collections, and status of receivables for fiscal year 1991; to the Committee on Governmental Affairs.

EC-2475. A communication from the Acting Administrator of the Agency for International Development, transmitting, pursuant to law, a report on management control and financial systems in effect during fiscal year 1991; to the Committee on Governmental Affairs.

EC-2476. A communication from the Head of the Bureau of Naval Personnel (Personnel Benefits), Department of the Navy, transmitting, pursuant to law, an annual report for the Navy Nonappropriated Fund Retirement Plan of Employees of Civilian Morale, Welfare and Recreation; to the Committee on Governmental Affairs.

EC-2477. A communication from the Chairman of the Federal Mine Safety and Health Review Commission, transmitting, pursuant to law, a report on the Commission's internal control and financial systems in effect during fiscal year 1991; to the Committee on Governmental Affairs.

EC-2478. A communication from the Executive Director of the Marine Mammal Commission, transmitting, pursuant to law, an annual report on audit and investigative activities for fiscal year 1991; to the Committee on Governmental Affairs.

EC-2479. A communication from the Chairman of the Federal Communications Commission, transmitting, pursuant to law, an annual report on management controls and financial management systems for fiscal year 1991; to the Committee on Governmental Affairs.

EC-2480. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Audit of the District Government's Contributions to the Morris Fitzgerald Memorial Tennis Stadium"; to the Committee on Governmental Affairs.

EC-2481. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, a report evaluating the need to extend interim geographic adjustments to Federal General Schedule employees in additional geographic areas.

EC-2482. A communication from the Federal Co-Chairman of the Appalachian Regional Commission, transmitting, pursuant to law, a report evaluating the system of internal accounting and administrative control of the Commission in effect during the year ended September 30, 1991; to the Committee on Governmental Affairs.

EC-2483. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report analyzing the factors contributing to the 1991 budget misestimate; to the Committee on Governmental Affairs.

EC-2484. A communication from the Secretary of the Mississippi River Commission, Department of the Army, transmitting, pursuant to law, an annual report of the Commission under the Government in the Sunshine Act covering calendar year 1991; to the Committee on Governmental Affairs.

EC-2485. A communication from the Chairman of the Board of Governors, transmitting, pursuant to law, an annual report regarding the compliance of the Board of Governors of the United States Postal Service with the requirements of the Government in the Sunshine Act for calendar year 1991; to the Committee on Governmental Affairs.

EC-2486. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on internal controls and financial systems in effect during 1991; to the Committee on Governmental Affairs.

EC-2487. A communication from the Acting Assistant Secretary of the Interior, transmitting, pursuant to law, a report in opposition to enactment of bills providing legislative Federal recognition to Indian groups; to the Select Committee on Indian Affairs.

EC-2488. A communication from the Chairman of the National Indian Gaming Commission, transmitting, pursuant to law, the annual report of the Commission for fiscal year 1991; to the Select Committee on Indian Affairs.

EC-2489. A communication from the Chairman, Board of Directors, of the State Justice Institute, transmitting, pursuant to law, a draft of proposed legislation to authorize appropriations for the purposes of carrying out the activities of the State Justice Institute for fiscal years 1993, 1994, 1995, and 1996, and for other purposes; to the Committee on the Judiciary.

EC-2490. A communication from the Chairperson, Advisory Panel on Alzheimer's Disease, the Burke Rehabilitation Center, transmitting, pursuant to law, an annual report reflecting the work of the Panel during 1991; to the Committee on Labor and Human Resources.

EC-2491. A communication from the Administrator of the National Aeronautics Space Administration, transmitting, pursuant to law, an annual report on the performance of NASA's Industrial Applications Centers and on their interaction with the nation's small business community; to the Committee on Small Business.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-263. A joint resolution adopted by the Legislature of the State of California; to the Committee on Appropriations:

"ASSEMBLY JOINT RESOLUTION NO. 13

"Whereas, The recent freeze during December 1990, and January 1991, was the third

worst natural disaster that ever occurred in the State of California with respect to the economy of this state, ranking behind the 1906 San Francisco and Loma Prieta earthquakes; and

"Whereas, This record freeze was unique since it consisted of low temperatures for an extended period of time. In many locations of the state the temperatures dropped below 20 degrees Fahrenheit and remained at those temperatures for seven consecutive days; and

"Whereas, This caused extensive damage to the agricultural industry in the state with the loss of crops alone estimated to be in a range between \$750 and \$900 million and could reach as high as \$1.3 billion; and

"Whereas, The freezing temperatures affected many crops in the state. The most severely damaged crops were: navel and valencia oranges, lemons, grapefruit, avocados, strawberries, melons, sugar beets, broccoli, cauliflower, artichokes, winter vegetables, flowers, and nursery stocks; and

"Whereas, The freeze caused extensive damage to citrus budwood, which impacts the ability of nurseries to produce trees for replanting for orchards of the affected areas, especially young orchards where extensive replanting will be required; and

"Whereas, New trees will take five to seven years of growth before they reach full production, and lemon trees that sustained heavy damage will take three to five years to recover from the freeze; and

"Whereas, In addition to the loss of crops on the trees and in fields, producers of agricultural products incurred significant energy expenses and capital losses from damage to irrigation systems and equipment breakdowns; and

"Whereas, The damage to the agricultural industry had the effect of causing the unemployment of approximately 15,000 skilled, full-time workers and economic depression in many rural counties of the state whose residents depend heavily on agriculture as their primary source of income; and

"Whereas, The families in those areas, with already marginal incomes, will have to make decisions to either purchase food or pay for housing and utilities; now, therefore, be it.

*"Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorialize the President and Congress of the United States to enact legislation to appropriate the necessary funds to the Agricultural Stabilization and Conservation Service to provide relief to the producers of agricultural products affected by the recent freeze in this state; and be it further*

*"Resolved, That funds be allocated to the Secretary of Agriculture to make grants available for providing emergency services to low-income migrant and seasonal farmworkers; and be it further*

*"Resolved, That funds be allocated to the Secretary of Agriculture to provide emergency crop assistance to eligible producers of agricultural products in the State of California pursuant to the Food, Agriculture, Conservation and Trade Act of 1990 (P.L. 101-624); and be it further*

*"Resolved, That Section 2272 of the Food, Agriculture, Conservation and Trade Act of 1990 should not apply with regard to those appropriated funds; and be it further.*

*"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Secretary of Agriculture, to each Senator and Representative*

from California in the Congress of the United States, and to the Agricultural Stabilization and Conservation Service."

PM-264. A joint resolution adopted by the Legislature of the State of California; to the Committee on Armed Services:

**"SENATE JOINT RESOLUTION NO. 21**

"Whereas, The Department of the Army has announced a reduction in the size of the reserve forces, including the National Guard; and

"Whereas, The California Army National Guard would be required to reduce in size by 32 percent, a loss of about 7,000 soldier positions; and

"Whereas, The California Army National Guard is the sole and irreplaceable military force legally available and equipped to respond immediately to natural disasters and other emergencies at the direction of the Governor; and

"Whereas, The planned reduction will drastically and dangerously impair the capability of the state to respond quickly to the larger number of emergencies which occur annually in California and the constant potential for wildfires, floods, and earthquakes of catastrophic proportion; and

"Whereas, The State of California is projected to dramatically increase in population in the next decade, increasing the potential magnitude of human risk from natural disaster; and

"Whereas, The state supports the reduction of the federal Armed Forces and of the costs to maintain them in time of peace; and

"Whereas, Reserve forces can be maintained in peacetime at about one-third the cost of active duty forces, and can be maintained combat ready and deployable on short notice as demonstrated in Operation Desert Storm; and

"Whereas, The citizens of the State of California object to a reduction in the California Army National Guard force structure; now, therefore, be it

*"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature and the citizens of the State of California strongly urge the President of the United States, the Secretary of Defense, the Secretary of the Army, and the Congress of the United States to direct that the authorized strength of the force structure of the California Army National Guard shall not be reduced; and be it further*

*"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Secretary of Defense of the United States, and to the Governor and the Adjutant General of the State of California."*

POM-265. A joint resolution adopted by the Legislature of the State of California; to the Committee on Banking, Housing, and Urban Affairs:

**"SENATE JOINT RESOLUTION NO. 24**

"Whereas, This country maintains a dual banking system whereby banks in California may elect whether to be state chartered banks subject to regulation by the State Banking Department or federally chartered banks subject to regulation by the Comptroller of the Currency; and

"Whereas, The State Banking Department is authorized to approve all applications for state chartered banks to engage in the business of banking in this state; and

"Whereas, State chartered banks in California are allowed to provide certain products and services under California law that federally chartered banks are not allowed to provide under current federal law; and

"Whereas, California banking laws promote capital availability, strengthen economic development, and encourage community reinvestment in this state; and

"Whereas, It is of great importance that the State of California retain the ability to equitably tax both state and federally chartered banks; and

"Whereas, The United States Treasury recently proposed a plan to reform and restructure this country's financial system by reducing or eliminating state regulation of banks in favor of increased regulation by the Federal Reserve; and

"Whereas, The Legislature of the State of California reaffirms and restates its support for the continuation of the dual banking system in California; now, therefore, be it

*"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President, the Congress, and the Treasury Department to retain and continue the essential components of the dual banking system and ensure that any reforms to the federal deposit insurance system apply equally to all depositors in financial institutions of any size; and recognize that it is imperative that any changes in federal banking laws not impair the ability of the State of California to tax banks in this state; and be it further*

*"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the United States Secretary of the Treasury."*

POM-266. A joint resolution adopted by the Legislature of the State of California to the Committee on Commerce, Science, and Transportation:

**"SENATE JOINT RESOLUTION NO. 9**

"Whereas, A recent ground collision between a USAir jetliner and a commuter plane, which has so far left 34 people dead, has been attributed to air controller error and malfunctioning radar; and

"Whereas, Those conditions might have been prevented had the Aviation Trust Fund spent some of the \$10 billion it has set aside for modernization of the nation's air traffic control system; and

"Whereas, Air traffic controllers, trained and hired by the Federal Aviation Administration (FAA), are short an estimated 3,000 controllers nationwide, according to the National Air Traffic Controllers Association, and some of these, according to Los Angeles Times research, appear to receive inadequate training at smaller airports before being stationed at major airports such as Los Angeles International Airport (LAX); now, therefore, be it

*"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact legislation to improve air safety at major United States airports, including provisions for a review of the number of air traffic controllers hired and trained since the 1981 strike, a determination of the additional number of controllers needed and the percentage of current controllers rated at full-performance level,*



and an investigation of the need for measures to facilitate emergency operations in the event of massive casualties in airport crashes; and be it further

"Resolved, That the Legislature of the State of California supports the implementation by the Federal Aviation Administration of internationally recognized standards of safety relative to uniform runway and taxiway operational parameters; and be it further

"Resolved, That the Legislature of the State of California requests an investigation by the Federal Aviation Administration into the interior safety of airplanes in regard to the flammability of, and the potential to produce toxic smoke, in materials used; and be it further

"Resolved, That the Legislature of the State of California requests the federal government to assist in the expeditious building, staffing, and operation of a new replacement air traffic control tower at Los Angeles International Airport (LAX); and be it further

"Resolved, That the Legislature of the State of California supports the expeditious release and appropriation by the Congress of moneys in the Airport and Airways Trust Fund; and be it further

"Resolved, That the Legislature of the State of California supports the expeditious implementation of the National Airspace System Plan and the procurement of Improved Airport Surface Detection Equipment (ASDE-3 radar) by the Federal Aviation Administration at all California commercial airports; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-267. A joint resolution adopted by the Legislature of the State of California; ordered to lie on the table:

#### "ASSEMBLY JOINT RESOLUTION NO. 48

"Whereas, Congress has passed the Unemployment Insurance Reform Act of 1991 (hereafter the "Act"); and

"Whereas, The Act will provide 550,000 people in California, who have lost jobs covered by the unemployment insurance system, with 13 weeks of unemployment benefits, in addition to the 26 weeks of benefits that are provided under current law; and

"Whereas, Nationwide, the Act will provide up to 20 weeks of extra compensation to 3 million unemployed workers; and

"Whereas, The Act authorizes four levels of weeks of eligibility for extended unemployment benefits. The number of weeks of benefits payable to an unemployed worker in a particular state would be determined by the state's total unemployment rate; and

"Whereas, In California, where the unemployment rate fluctuates around 7 percent, workers who lost their jobs would be eligible under this Act for 39 weeks of unemployment compensation; and

"Whereas, The Act authorizes benefits to be paid from September 1, 1991, to July 4, 1992; and

"Whereas, In order to obtain President George Bush's signature on the Act, it was amended to require a separate emergency designation to be declared in order to release the \$5.3 billion in federally paid benefits; and

"Whereas, The President has indicated that he will not sign an emergency declaration despite the nation's recession which has

left many middle class Americans without jobs; now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President of the United States to sign a declaration of emergency to release the \$5.3 billion in extended emergency unemployment benefits; and be it further

"Resolved, That in the event the President does not sign a declaration of emergency to implement those provisions of the Act that would release moneys for extended emergency unemployment benefits, that Congress pursue the original version of the bill that would have considered a signature on the legislation to be a declaration of an emergency; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-268. A joint resolution adopted by the Legislature of the State of California; to the Committee on Commerce, Science, and Transportation:

#### "SENATE JOINT RESOLUTION NO. 28

"Whereas, On July 14, 1991, a major derailment in Shasta County, California between Dunsmuir and Mount Shasta involving a Southern Pacific Transportation Company freight train caused a single-wall tank car to spill its contents of the chemical metam sodium into the Sacramento River, fouling the river, killing fish and wildlife, and sickening some nearby residents; and

"Whereas, Between 1976 and 1990, 43 derailments or other accidents have occurred on this 20-mile section of track, and the metam sodium spill is the 20th rail accident in the past 15 years on the same three miles of track; and

"Whereas, Single-wall rail tank cars experience punctures, and resultant dangerous leaks, in accidents twice as often as double-wall rail tank cars; now, therefore, be it

"Resolved, by the Senate and Assembly of the State of California, jointly, That the California Legislature respectfully memorializes the President and Congress of the United States to do all of the following:

"(1) Require the United States Department of Transportation to adopt an emergency regulation to immediately reclassify metam sodium as a hazardous substance so that it may be transported only in double-wall rail tank cars appropriately placarded and then adopt a regulation through the regular process with the same effect;

"(2) Require the United States Department of Transportation to investigate and review other chemical compounds not presently considered to be hazardous or toxic for possible reclassification as hazardous substances; and

"(3) Require the Federal Railroad Administration to increase the enforcement of rail speed limitations and the National Transportation Safety Board to investigate conditions on the 20-mile section of track between Dunsmuir and Mount Shasta; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the United States Depart-

ment of Transportation, to the Federal Railroad Administration, and to the National Transportation Safety Board."

POM-269. A resolution adopted by the Common Council of Buffalo, New York; to the Committee on Commerce, Science, and Transportation.

POM-270. A resolution adopted by the Twenty-First Guam Legislature favoring legislation to amend the Organic Act of Guam relative to the authority and jurisdiction of the Inspector General of the Department of the Interior; to the Committee on Energy and Natural Resources.

#### "RESOLUTION NO. 132

"Whereas, in September, 1968, as a prerequisite and requisite to the extension of a basic democratic principle—that the people of Guam have the inalienable right to democratically elect the Governor of Guam,—the Organic Act of Guam was amended to grant the Office of the Inspector General of the Department of the Interior "carte blanche" jurisdiction and authority to "audit all accounts pertaining to the revenue and receipts of the government of Guam, and the authority to audit, in accordance with law and administrative regulations, all expenditures of funds or uses of property which are irregular or not pursuant to law"; and

"Whereas, after years of yearning for the basic right to elect their Governor and in order not to endanger the passage of the Elective Governor law, the people of Guam passively accepted this onerous amendment to the Organic Act; and

"Whereas, the people of Guam, over the last few years, have seen and have been subjected to blatant and unnecessary abuses of the authority and jurisdiction granted in §9-A (1) & (2) of the Organic Act which give the Inspector General such extraordinary power; and

"Whereas, such blatant and unnecessary abuses of power include the decision by the Inspector General to violate the sanctity of the tax records of individual citizens of Guam by demanding and obtaining, through the federal courts, the authority to audit individual and unnamed tax returns despite the strenuous objections of the Tax Commissioner, the Governor of Guam and the Guam Legislature and despite the fact that the Tax Commissioner, did, in fact, offer access to the Inspector General to those same records so long as the names of the individual taxpayer could be blacked out in order to protect the confidentiality and sanctity of the tax system; and

"Whereas, the Office of the Inspector General, a division of the Department of the Interior, itself an agency of the Executive Branch of the United States government, has elected to conduct audits, not only of the accounts, but also of the management practices of the Guam Legislature, in total and blatant disregard of the ineluctable fact that the Guam Legislature is a legislative body whose power extends to all subjects of legislation of local application and which power includes the authority to determine its own rules; and

"Whereas, despite the Guam Legislature's legislative authority and power to determine its own rules, the Office of the Inspector General elected to pass judgment on the use of said authority and power, clearly exhibiting a total disregard for the basic provisions of the Organic Act which provisions are but reflections and mirror images of the American principle of separation of powers; and

"Whereas, the Office of the Inspector General has and will continue to attempt to un-

dermine the legislative authority of the Guam Legislature and the respect of the people of Guam in those who they have elected to that office, as well as in the officials of the Executive Branch of the government of Guam, its agencies, departments, functions and programs, by initiating releases to Guam's media of what is essentially only the biased opinion of the Office of the Inspector General on the operations of the Guam Legislature and other agencies, departments, functions and programs of the government of Guam, despite the fact that serious questions exist and have been raised relative to the authority of the Inspector General to audit the Guam Legislature and to whom the Inspector General is to report the results of such audit without violating the principles of separation of powers; and

"Whereas, by electing to release to Guam's media what is essentially its own opinion, the Office of the Inspector General has chosen to embark into the world of local politics, thereby compromising the very intent for the establishment of the Office of Inspector General for Guam, since by choosing to politicize its audits and reports it is attempting to politically influence the people of Guam by casting aspersions and doubts on the elected leaders of Guam and on the heads of its agencies, departments, programs and functions; and

"Whereas, the Guam Legislature has, continues, and will continue to question the authority of the Inspector General to audit the operations, management and accounts of the Guam Legislature and those departments, agencies, functions and programs of the government of Guam which do not receive federal funding but which are funded by the general revenues of the government of Guam; and

"Whereas, the Guam Legislature, because of the nature of the so-called Section 30 and Section 31 funds Guam receives under the Organic Act, and in view of the lack of any fees, lease or other rental payments from the federal government for the extensive military installations and facilities located on Guam, considers such Section 30 and Section 31 funds as payments in lieu of lease and rental fees and payment in lieu of taxes for goods and products sold in the base exchanges which otherwise are not sold in exchanges on military bases located in the continental United States and thus for the purposes and relative to the Inspector General clause of the Organic Act of Guam these funds cannot be considered as a form of federal funding in any manner or form; and

"Whereas, the consensus of the Guam Legislature is that the people of Guam and the government of Guam have, in fact, over the years since the ceding of Guam to the United States, since the signing of the Organic Act of Guam and since the enactment of the Elective Governor Act, learned and long practiced the precepts of good government and have proven their maturity, ability and readiness to use the electoral process to elect leaders of ability and integrity; now, therefore, be it

"Resolved, that the people of Guam do hereby urge the Honorable Congressman Ben G. Blaz, duly elected by the people of Guam as Guam's Delegate to the U.S. House of Representatives, to immediately introduce legislation amending §9A of the Organic Act of Guam to:

"(a) Protect and preserve the sanctity and confidentiality of the tax records of the citizens of Guam by specifically prohibiting the Office of Inspector General from conducting audits on named tax returns;

"(b) Limit and restrict the jurisdiction and authority of the Office of the Inspector General to financial audits of those programs within the government of Guam which are federally funded in the form of direct grants, grants-in-aid or technical assistance funds;

"(c) Designate the Governor of Guam as the only official authorized to publicly release any information on the financial audits of those programs within the government of Guam which receive federal funding in the form of direct grants, grants-in-aid or technical assistance funds and to establish penalties for any violation thereof;

"(d) Prohibit financial or management audits by the Office of the Inspector General of any accounts of the government of Guam which are not in direct receipt of federal funds in the form of grants, grants-in-aid, or technical assistance grants; and

"(e) Authorize the Governor of Guam to refuse and prohibit the release of any information or documentation which, in his opinion, is not germane to financial and management audits of the accounts of the government of Guam which are in direct receipt of federal funds in the form of grants, grants-in-aid, or technical assistance grants, unless so ordered by a court of competent jurisdiction; and be it further

"Resolved, that the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the Honorable Ben G. Blaz, Delegate of the people of Guam to the U.S. House of Representatives; to the Honorable George H. Bush, President of the United States; to the Honorable Daniel Quayle, Vice President of the United States; to the Director of the office of Inspector General of the Department of the Interior; to the Honorable Manuel U. Lujan, Secretary of the Interior; to the Honorable Stella Guerra, Assistant Secretary of the Interior for Territorial and International Affairs; to the Honorable J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; to the Honorable George Miller, Chairman of the House Committee on Interior and Insular Affairs; to the Honorable Ron de Lugo, Chairman, House Subcommittee on Insular Affairs; and to the Honorable Joseph F. Ada, Governor of Guam."

POM-271. A resolution adopted by the Pacific Basin Development Council; relative to the authority of the Inspector General of the Department of the Interior in matters dealing with Guam and the Northern Mariana Islands; to the Committee on Energy and Natural Resources.

POM-272. A resolution adopted by the Legislature of the Commonwealth of Puerto Rico; to the Committee on Energy and Natural Resources.

#### "No. 85

"Whereas, for the People of Puerto Rico to exercise their right to self-determination, it is necessary to clearly establish the democratic rights that shall rule this process.

"Whereas, this legislature studied, examined and considered Senate Concurrent Resolution 41 and House Concurrent Resolution 54, for the purpose of authorizing a referendum to amend the Bill of Rights of the Constitution of the Commonwealth of Puerto Rico to incorporate the democratic rights of the People of Puerto Rico, referred to in the second Section of this Act, which shall rule any consultation to change our political status.

"Whereas, although the majority of the members of both Houses of the Legislature supported said Concurrent Resolutions, they

could not be approved because they lacked the endorsement of two thirds of the members of each Legislative Chamber required by the Constitution.

"Whereas, this Legislature solemnly recognizes the basic postulate of democracy that the fundamental matters which define the political future or a society must be ratified by the direct vote of the people.

"Whereas, it is convenient to separate these matters from the discussion in the general election.

"Whereas, it is necessary for the People of Puerto Rico to have a vehicle through which they can express to the Government of Puerto Rico their desire to consecrate these democratic rights in the Constitution of the Commonwealth of Puerto Rico and to petition the Government of the United States for the democratic rights that shall rule any consultation on our political future.

"Be it enacted by the Legislature of Puerto Rico:

"Section 1.—This Act shall be known and may be cited as the "Guarantee of Democratic Rights Act".

"Section 2.—It is provided that the following Claim for Democratic Rights be submitted to the people of Puerto Rico for their approval:

"We, the people of Puerto Rico, solemnly claim that the following democratic rights be guaranteed in our Constitution:

"the inalienable right to determine our political status, freely and democratically

"the right to choose a status of full political dignity without colonial or territorial subordination to the plenary powers of the Congress

"the right to vote for the three status alternatives Commonwealth, Statehood and Independence, based on the sovereignty of the People of Puerto Rico

"the right that the winning alternative in a status consultation shall require more than half the votes that are cast

"the right that any consultation on status shall guarantee, under any alternative, our culture, language and identity, which includes our international sports representation

"the right that any consultation on status shall guarantee, under any alternative, the American-citizenship safeguarded by the Constitution of the United States of America."

"Section 3.—The Guarantee of Democratic Rights Act expresses the feeling of the Legislature of Puerto Rico. The Claim for Democratic Rights contained herein constitutes a claim to the Government of Puerto Rico on the desirability to consecrate them in the Constitution of the Commonwealth of Puerto Rico, and a Petition to the Congress and to the President of the United States for these rights to be respected when acting on our political status. If it is approved by the people, the Claim for Democratic Rights may only be modified or revoked through consultation with the people and it shall not be affected by the results of the general election.

"Section 4.—The Claim for Democratic Rights provided by Section 2 of this Act, shall be submitted for approval to the qualified electors of the Commonwealth of Puerto Rico in a referendum to be held on December 8, 1991. The ballot shall state that this claim constitutes a petition to the Congress and to the President of the United States.

"Section 5.—The Commonwealth and Statehood alternatives included in the Claim for Democratic Rights which shall be submitted to the people on December 8, 1991, are forms of status of permanent union with the United States.



"The Claim for Democratic Rights is not a claim for a change of status. The result of the referendum shall not be interpreted to be in favor or against any status alternative or political party. Neither shall it be interpreted as a petition for separation, nor modification of the present status, nor of the use of the two flags, two anthems and two languages as provided in our legal system.

"Section 6.—The Secretary of State shall remit a certified copy of this Act and its English language translation to the President of the United States and to all the members of the Congress of the United States.

"Section 7.—The Secretary of State shall remit a certified copy of the results of the referendum provided by Section 2 of this Act, to the Governor of Puerto Rico, to the President of the United States and to the members of the Congress of the United States.

"Section 8.—If any competent court declares any provision of this Act or any part thereof null, said declaration shall not affect the validity of the other provisions of this Act.

"Section 9.—This Act shall take effect immediately after its approval."

POM-273. A resolution adopted by the Legislature of the Commonwealth of Puerto Rico; to the Committee on Energy and Natural Resources:

"No. 85

"Whereas, for the People of Puerto Rico to exercise their right to self-determination, it is necessary to clearly establish the democratic rights that shall rule this process.

"Whereas, this Legislature studied, examined and considered Senate Concurrent Resolution 41 and House Concurrent Resolution 54, for the purpose of authorizing a referendum to amend the Bill of Rights of the Constitution of the Commonwealth of Puerto Rico to incorporate the democratic rights of the People of Puerto Rico, referred to in the second Section of this Act, which shall rule any consultation to change our political status.

"Whereas, although the majority of the members of both Houses of the Legislature supported said Concurrent Resolutions, they could not be approved because they lacked the endorsement of two thirds of the members of each Legislative Chamber required by the Constitution.

"Whereas, this Legislature solemnly recognizes the basic postulate of democracy that the fundamental matters which define the political future of a society must be ratified by the direct vote of the people.

"Whereas, it is convenient to separate these matters from the discussion in the general election.

"Whereas, it is necessary for the People of Puerto Rico to have a vehicle through which they can express to the Government of Puerto Rico their desire to consecrate these democratic rights in the Constitution of the Commonwealth of Puerto Rico and to petition the Government of the United States for the democratic rights that shall rule any consultation on our political future.

"Be it enacted by the Legislature of Puerto Rico:

"Section 1.—This Act shall be known and may be cited as the 'Guarantee of Democratic Rights Act.'

"Section 2.—It is provided that the following Claim for Democratic Rights be submitted to the people of Puerto Rico for their approval:

"We, the people of Puerto Rico, solemnly claim that the following democratic rights be guaranteed in our Constitution:

"the inalienable right to determine our political status, freely and democratically

"the right to choose a status of full political dignity without colonial or territorial subordination to the plenary powers of the Congress

"the right to vote for the three status alternatives Commonwealth, Statehood and Independence, based on the sovereignty of the People of Puerto Rico

"the right that the winning alternative in a status consultation shall require more than half the votes that are cast

"the right that any consultation on status shall guarantee, under any alternative, our culture, language and identity, which includes our international sports representation

"the right that any consultation on status shall guarantee, under any alternative, the American citizenship safeguarded by the Constitution of the United States of America."

"Section 3.—The Guarantee of Democratic Rights Act expresses the feeling of the Legislature of Puerto Rico. The Claim for Democratic Rights contained herein constitutes a claim to the Government of Puerto Rico on the desirability to consecrate them in the Constitution of the Commonwealth of Puerto Rico, and a Petition to the Congress and to the President of the United States for these rights to be respected when acting on our political status. If it is approved by the people, the Claim for Democratic Rights may only be modified or revoked through consultation with the people and it shall not be affected by the results of the general election.

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"The Claim for Democratic Rights is not a claim for a change of status. The result of the referendum shall not be interpreted to be in favor or against any status alternative or political party. Neither shall it be interpreted as a petition for separation, nor modification of the present status, nor of the use of the two flags, two anthems and two languages as provided in our legal system.

"Section 6.—The Secretary of State shall remit a certified copy of this Act and its English language translation to the President of the United States and to all the members of the Congress of the United States.

"Section 7.—The Secretary of State shall remit a certified copy of the results of the referendum provided by Section 2 of this Act, to the Governor of Puerto Rico, to the President of the United States and to the members of the Congress of the United States.

"Section 8.—If any competent court declares any provision of this Act or any part thereof null, said declaration shall not affect the validity of the other provisions of this Act.

"Section 9.—This Act shall take effect immediately after its approval."

POM-274. A resolution adopted by the City Council of Wyoming, Michigan opposing the adoption of H.R. 2840, the Lead Contamina-

tion Control Act Amendments of 1991; to the Committee on Environment and Public Works.

POM-275. A resolution adopted by the City Council of Wyoming, Michigan favoring the adoption of legislation to protect cities from superfund liability; to the Committee on Environment and Public Works.

POM-276. A resolution adopted by the City Council of Wyoming, Michigan favoring the adoption of the Improved Bottled Water Act of 1991; to the Committee on Environment and Public Works.

POM-277. A joint resolution adopted by the Legislature of the State of California; to the Committee on Environment and Public Works.

"SENATE JOINT RESOLUTION No. 15

"Whereas, The President of the United States has proposed a surface transportation reauthorization bill, which calls for tolls on interstate highways and federal subsidies for private toll roads; and

"Whereas, The California Department of Transportation has suggested that toll roads built under the President's proposal be modeled after the four toll road projects authorized in California by Section 143 of the Streets and Highways Code; and

"Whereas, The department has also suggested that Congress authorize the use of federal funds for the four demonstration projects authorized by Section 143; and

"Whereas, The language of Section 143 and the legislative history of the bill that added that section clearly indicate that only private funds were to be used to build the demonstration projects; and

"Whereas, The private developers selected for those projects have been given contracts containing the following provisions:

"(1) Large 'franchise zones' within which competing projects, including improvements to many public roads, are prohibited.

"(2) The right of the developer to lease miles of airspace along toll roads for a nominal fee, on which the developers can build gas stations, restaurants, shopping centers, and other buildings.

"(3) No limit on the amount of tolls that the developer can charge.

"(4) Developers are allowed profits in excess of 20 percent from the tolls.

"(5) No limit on the profits developers can realize from airspace revenues.

"(6) Developers, through the Department of Transportation, may condemn land for the projects; and

"Whereas, The Legislature of the State of California finds that it is inappropriate to provide federal subsidies to private toll road investors; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to retain the prohibition against the use of federal funds for toll roads, except for demonstration projects currently authorized by Congress, toll bridges, and toll roads financed with interest bearing loans, and not to enact any surface transportation reauthorization act that includes the imposition of tolls on interstate highways; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-278. A joint resolution adopted by the Legislature of the State of California; to the Committee on Finance:

## SENATE JOINT RESOLUTION NO. 22

"Whereas, California is experiencing steady growth in its incarcerated population; and

"Whereas, Pregnant women, women with children, and minors comprise a significant portion of the incarcerated population; and

"Whereas, Inmate health care costs are skyrocketing due to increased incidences of AIDS, substance abuse, and mental illness; and

"Whereas, In 1985, the federal government had a policy of providing Medicaid for the first and last month of an inmate's incarceration; and

"Whereas, in 1985, the federal government reversed its policy and discontinued federal Medicaid financial participation; and

"Whereas, Currently, otherwise eligible persons are denied Medicaid eligibility upon entering a county detention or correctional facility; and

"Whereas, Counties must now fund inmate health care through county general fund moneys; and

"Whereas, These county general fund moneys could be used more effectively to provide other services, such as health care to the indigent; now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact legislation, or adopt regulations, approving Medicaid eligibility for otherwise eligible inmates in a county-operated detention or correctional facility, or a county-operated juvenile facility; and be it further

*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Secretary of Health and Human Services."

POM-279. A joint resolution adopted by the Legislature of the State of California; to the Committee on Finance:

## ASSEMBLY JOINT RESOLUTION NO. 12

"Whereas, The Adoption Assistance and Child Welfare Act of 1980 (P.L. 96-272) has been in effect for over a decade; and

"Whereas, The number of abused and neglected children being placed in out-of-home care for their protection is increasing; and

"Whereas, Existing family preservation programs initiated by California show great benefits and cost effectiveness; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature hereby respectfully requests the President and the Congress of the United States to do all of the following:

"(a) Review and update provisions of the federal Adoption Assistance and Child Welfare Act of 1980 (P.L. 96-272);

"(b) Support provisions that strengthen the ability of states to operate family preservation programs that result in a reduction of the need for out-of-home placements utilizing funding provided under Part E of Title IV of the Social Security Act (42 U.S.C. Sec. 670 et seq.) for the placement of children;

"(c) Support provisions that encourage the development of multifaceted, broad-based, family preservation programs combining features of juvenile justice, mental health, and social service programs;

"(d) Support provisions that provide for a 90 percent federal match under Part E of

Title IV of the Social Security Act (42 U.S.C. Sec. 670 et seq.) for the planning, development, and installation of statewide automated child welfare data-processing systems;

"(c) Support provisions that provide respite care for foster parents to assist them in meeting the needs of children who are victims of substance abuse or have special medical needs; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Governor, to the Secretary of the State Health and Welfare Agency, to the Secretary of Child Development and Education, to the Director of the State Department of Mental Health, to the Director of the State Department of Social Services, and to the Director of the Department of the Youth Authority."

POM-280. A joint resolution adopted by the Legislature of the State of California; to the Committee on Finance:

## ASSEMBLY JOINT RESOLUTION NO. 10

"Whereas, Abortion is a legal medical service related to pregnancy and the choice to elect an abortion is a personal, private right protected by the United States Constitution and California Constitution; and

"Whereas, The federal government provides assistance for pregnancy-related care for substantial numbers of women under a variety of federal programs, including the Medicaid program, the Indian Health Care Program, the Federal Employees' Health Benefits Program, the program of health care for military dependents and retirees, the Peace Corps program, general payments to the District of Columbia, and the program of medical services to federal penal and correctional institutions; and

"Whereas, Pregnant women who otherwise are provided pregnancy-related care under these programs have been denied equal access to health care services due to Congress' severe and unjustified restrictions on their freedom to choose services that relate to abortion; and

"Whereas, Denial of access to health care services because those services relate to abortion is unjust and unfair to pregnant women who are or whose spouses are employed by the federal government or who otherwise are dependent on the federal government for health care, and threatens their health and well-being and that of their families; and

"Whereas, Denial of abortion services to pregnant women who rely on the federal government for health care creates a two-tiered health care system where poor women are unable to afford a privately funded abortion and women with more resources are able to finance a private abortion; and

"Whereas, Medicaid recipients, Native American women, Peace Corps volunteers, federal employees and their dependents, military personnel and their dependents, and women in federal prisons are often unable to afford a privately funded abortion; and in the case of women in federal prisons, they are unable to leave prison to obtain abortion services; and

"Whereas, It is incumbent upon the Legislature of the State of California to request that Congress ensure that all women in our society have an equal opportunity to protect their reproductive health and to exercise their constitutional right to choose whether to terminate a pregnancy; and

"Whereas, There are two bills advancing in Congress that are each known as the Reproductive Health Equity Act, and that are designed to restore access to abortion services for women who are dependent on the federal government for their health care; and

"Whereas, The reproductive Health Equity Act would require the federal government to provide abortion services to women who receive Medicaid, Native American women, Peace Corps volunteers, federal employees and their dependents, military personnel and their dependents, and women in federal prisons; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to enact the Reproductive Health Equity Act to ensure that all women in our society have an equal opportunity to make reproductive health decisions; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of the resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-281. A joint resolution adopted by the Legislature of the State of California; to the Committee on Finance:

## ASSEMBLY JOINT RESOLUTION NO. 34

"Whereas, In California, between 1980 and 1991 the median sales price of a single-family home has escalated dramatically; and

"Whereas, In California, the percentage of people who can afford a first home has declined dramatically; and

"Whereas, In California, the average down payment for a home for a first-time buyer has significantly risen, presenting an insurmountable goal for many Californians; and

"Whereas, The dream of home ownership is fading for many Californians and others across the United States; and

"Whereas, The Legislature of the State of California and the United States Congress have shown the willingness and desire to help make home ownership attainable to those who seek to achieve it; and

"Whereas, A special type of savings account to encourage and assist individuals and families to accumulate funds for a down payment on the purchase of a first home, either in the form of an Individual Housing Account (IHA) or an existing Individual Retirement Account (IRA), which would provide either a federal tax deduction or credit for the amount deposited, with interest accumulating tax free, would greatly enhance the opportunity for greater home ownership; and

"Whereas, The law already permits a broad range of investment vehicles for IRA's and other similar accounts, and to most Americans, a house is their most significant, costly, and valuable investment; and

"Whereas, The Legislature of the State of California finds and declares that assisting those Californians who desire home ownership is both sensible and fair; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact legislation that will provide tax incentives for individuals who save for a down payment on the purchase of a first home; and be it further

*Resolved,* That the Congress create a new Individual Housing Account to allow individ-



uals to save funds for the purchase of a first home, the amounts deposited to be deductible, and the income therein to accumulate tax free; and be it further

"Resolved, That the Congress modify Individual Retirement Accounts to allow their funds to be used for a down payment on the purchase of a first home; and be it further

"Resolved, That the Congress enact these savings incentives for the benefit of low- and middle-income first-time home buyers, and not for purposes of home refinancing or for other purchases of residential real estate; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-282. A joint resolution adopted by the Legislature of the State of California; to the Committee on Finance:

"SENATE JOINT RESOLUTION NO. 4

"Whereas, California has been experiencing a brutal crisis in the access of indigent people to health care; and

"Whereas, Preventive prenatal health care programs have been proven to be overwhelmingly cost-effective; and

"Whereas, Low-income women often begin prenatal care late in their pregnancies or have too few visits, because of a lack of money, transportation, or child care, or because clinics are often not open at convenient times; and

"Whereas, At least one other state has addressed this problem by successfully implementing a prenatal health care program using mobile outreach units; and

"Whereas, At least one California hospital has proposed a similar program, which would utilize a mobile health van to provide prenatal care to the target population in an effective and efficient manner; and

"Whereas, Since patients reached by such a program are usually Medi-Cal eligible, it is necessary that the program be approved for federal medicaid reimbursement by the Health Care Financing Administration; and

"Whereas, Although the administration allows satellite clinics to be certified for medicaid reimbursement and although at least one mobile health care program has been approved for reimbursement, the federal government lacks clear statutory authority to certify those programs for medicaid reimbursement; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to enact legislation or require the Health Care Financing Administration to adopt regulations permitting the certification of mobile prenatal health care van programs for reimbursement under the medicaid program; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Director of the Health Care Financing Administration, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-283. A joint resolution adopted by the Legislature of the State of California; to the Committee on Finance:

"ASSEMBLY JOINT RESOLUTION NO. 9

"Whereas, When the United States Congress amended the Social Security Act in

1972 to increase retirement benefits to reflect cost-of-living increases, a technical flaw in the amended benefit formula overcompensated people who retired after 1972; and

"Whereas, Congress corrected its error by amending the Social Security Act in 1977 to bring benefits back to historical levels and phased in the reduction over five years, affecting individuals born between 1917 and 1926, the so-called "notch" years; and

"Whereas, The phase-in period has not provided a smooth transition, but has resulted in "notch babies" receiving as much as \$3,000 per year less in benefits than people who have similar work histories but were born in 1916; and

"Whereas, Members of Congress have for several years tried to pass legislation that would establish a uniform benefit formula to treat those born in the "notch" years equitably; and

"Whereas, The Legislature of the State of California feels that the continued inequities in benefits received by persons born during the "notch" years undermines public confidence in the social security system and, consequently, affirms its commitment to the equitable distribution of social security benefits; now, therefore, be it

"Resolved, by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California hereby respectfully memorializes the President and the Congress of the United States to enact appropriate legislation which would prospectively correct the "notch" in social security benefit payments for persons born between 1917 and 1926; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the chairpersons of the House and Senate Committees on Aging, and to each Senator and Representative from California, in the Congress of the United States."

POM-284. A resolution adopted by the Senate of the Commonwealth of Pennsylvania; to the Committee on Finance:

"SENATE CONCURRENT RESOLUTION NO. 98

"Whereas, The Federal Government has mandated that the states provide health care for the poor; and

"Whereas, The Pennsylvania Medicaid system meets that mandate by providing health care to the State's poor; and

"Whereas, The Medicaid program includes ever-growing numbers of eligibles and benefits which are mandated by the Federal Government; and

"Whereas, Those Federal mandates are driving up the costs of the Medicaid program, causing costs to the states to triple in the last ten years; and

"Whereas, Pennsylvania has utilized a Federally-allowable "pooling" mechanism to match the Federal contribution toward the costs of Medicaid; and

"Whereas, The Federal Health Care Finance Agency is proposing to prohibit states from engaging in "pooling"; and

"Whereas, The elimination of "pooling" has the potential for costing Pennsylvania one billion dollars over the next three years; and

"Whereas, Pennsylvanians cannot afford the rate of taxation which would be required to supplant that one billion dollars loss; therefore be it

"Resolved (the House of Representatives concurring), That the General Assembly of the

Commonwealth of Pennsylvania memorialize the Congress of the United States to reject these proposed rules of the Health Care Finance Administration; and be it further

"Resolved, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania."

POM-285. A joint resolution adopted by the Legislature of the State of California; to the Committee on Foreign Relations:

"SENATE JOINT RESOLUTION NO. 29

"Whereas, The people of the Soviet Union have finally thrown off the yoke of totalitarianism after a failed Communist coup; and

"Whereas, Boris Yeltsin, the first democratically elected leader, was instrumental in turning back the forces of totalitarianism and in rejecting Communism in the Russian Republic; and

"Whereas, This is the 23rd anniversary of the Prague Spring in which the Soviet Union and the Warsaw Pact countries invaded Czechoslovakia in order to crush the liberalization drive of Alexander Dubcek; and

"Whereas, The Warsaw Pact no longer exists—the Eastern Block countries of Czechoslovakia, Poland, and East Germany have gained freedom from the tyranny of the Soviet system; and

"Whereas, The Republic of Armenia struggles to rid itself of the oppressive antifire market domination of the Soviet Union; and

"Whereas, The Republics of Estonia, Latvia, and Lithuania have declared themselves independent and are represented by democratically elected presidents; and

"Whereas, The United States of America has never recognized Stalin's forcible incorporation of Estonia, Latvia, and Lithuania into the Soviet Union; now, therefore, be it

"Resolved by the Senate and the Assembly of the State of California, jointly, That it is the sense of the California State Legislature that the United States should recognize Estonia, Latvia, and Lithuania as free and independent states, and support the other republics, such as Armenia, who are struggling to achieve freedom, self-government, and autonomy; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the United States House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Governor of California."

POM-286. A joint resolution adopted by the Legislature of the State of California; to the Committee on Foreign Relations:

"ASSEMBLY JOINT RESOLUTION NO. 47

"Whereas, The United States has never acknowledged the incorporation of the Baltic republics into the Soviet Union due to the illegal nature of the Molotov-Ribbentrop agreement of August 23, 1939, and the subsequent hostile acquisition of land thereof; and

"Whereas, The peoples of Lithuania, Latvia, and Estonia have individually, and collectively, resisted the Communist domination of their homelands in the name of independence and democracy throughout 52 years of Soviet rule; and

"Whereas, These republics have maintained their own individual religions, languages, traditions, and literature throughout the Soviet occupation; and

"Whereas, These republics opposed the illegal coup attempt against Mikhail Gorbachev in August of 1991; and

"Whereas, These republics have been long-time supporters of democracy and independence; and

"Whereas, These nations have declared independence from the Soviet Union; now, therefore, be it

*"Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California supports Lithuania, Latvia, and Estonia in their struggle for independence from the Soviet occupation, and that the Legislature of the State of California respectfully memorializes the President and Congress of the United States of America to act immediately to extend full diplomatic recognition to the freely elected Baltic governments of Lithuania, Latvia, and Estonia; and be it further

*"Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-287. A joint resolution adopted by the Legislature of the State of California; to the Committee on Foreign Relations:

**"SENATE JOINT RESOLUTION NO. 19**

"Whereas, Seven soldiers of the Israel Defense Forces have been missing in action for several years in Lebanon: Yehuda Katz, Zechariah Baumel, and Tevi Feldman have been missing since 1982; Samir Assad has been missing since 1983; and Ron Arad, Yosef Pink, and Rachamim Levi-Alshech have been missing since 1986; and

"Whereas, All evidence points to their being held in territory controlled by the Syrians by organizations linked with Syria and Iran; and

"Whereas, These Israeli POW's are being held incommunicado, and are deprived of all basic rights, such as contacts with their families and meetings with the International Red Cross—and this treatment constitutes a blatant violation of the Geneva Convention and a cruel disregard for the ordeal of their families and loved ones; and

"Whereas, Syria, Iran, and the organizations holding the Israeli POW's have refused to acknowledge responsibility for the fate of the POW's and have further refused to divulge any information as to the location or welfare of these individuals; and

"Whereas, POW's are now being exchanged following the Persian Gulf War, and it is important that the Israeli POW's not be forgotten; and

"Whereas, Discussions have resumed regarding the exchange of prisoners and western hostages; and

"Whereas, Recent developments indicate that the region is moving toward peace talks on the Israeli-Arab conflict; now, therefore, be it

*"Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California hereby urges the United States Department of State to seek the cooperation of Syria and Iran in compelling the organizations holding the seven Israeli POW's referred to in this resolution to do both of the following as a first step towards a prisoner exchange in the very near future:

(1) To grant immediate access to the seven Israeli POW's to the International Red Cross.  
(2) To provide the seven Israeli POW's with all conditions required by the Geneva Convention; and be it further

*"Resolved,* That the Legislature also urges the Department of State to work with other

western nations, and with middle eastern nations desirous of stability in the region, to support all efforts to secure the rights of the seven Israeli POW's referred to in this resolution—efforts which should include a full disclosure of all information relating to their welfare and to the conditions of their imprisonment and the ultimate release of the Israeli POW's as part of a general prisoner exchange; and be it further

*"Resolved,* That the Secretary of the Senate transmit copies of this resolution to the President, the Vice President, and the Secretary of State of the United States, to the Speaker of the House of Representatives of the United States, and to each Senator and Representative from California in the Congress of the United States."

POM-288. A concurrent resolution adopted by the Legislature of the State of Louisiana; to the Committee on the Judiciary:

**"HOUSE CONCURRENT RESOLUTION NO. 218**

"Whereas, The Legislature of the state of Louisiana, acting with the best intentions, has previously made application to the Congress of the United States of America for the calling of a constitutional convention for the limited purpose of proposing certain amendments to the Constitution of the United States of America; and

"Whereas, The best legal minds in the nation today are in general agreement that a convention, notwithstanding whatever limitation might be placed upon it by the call of said convention, would have within the scope of its authority the complete redrafting of the Constitution of the United States of America, thereby creating a great danger of the well-established rights of our people and to the constitutional principles under which we are presently governed; and

"Whereas, The Constitution of the United States of America, while it has been amended many times in the history of the nation and may yet be amended many times, has been extensively interpreted and has proven to be a basically sound document which protects the freedom of all Americans; and

"Whereas, There is no need for a new constitution, the adoption of which would create legal chaos in America and only begin the process of another two centuries of litigation over its interpretation by the courts; and

"Whereas, Such changes as may be needed in the present Constitution of the United States may be proposed and enacted by the well-established methods of amendment contained therein.

"Therefore, be it *Resolved* That the Legislature of Louisiana does hereby rescind any and all previous applications to the Congress of the United States made by the Legislature of the state of Louisiana pursuant to Article V of the Constitution of the United States of America for the calling of a constitutional convention for any purpose, limited or general.

"Be it further *Resolved,* That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America, to the members of the Louisiana delegation to the Congress of the United States, and to the presiding officers of each house of the legislatures of the several states."

POM-289. A joint resolution adopted by the Legislature of the State of California; to the Committee on the Judiciary:

**"ASSEMBLY JOINT RESOLUTION NO. 28**

"Whereas, The Congress of the United States adopted the Immigration Reform and

Control Act of 1986 (IRCA) to legalize millions of individuals who were residing permanently or temporarily in the United States without proper documentation; and

"Whereas, The act permitted the states to create and maintain education, health, and public assistance programs to assist individuals who were eligible for amnesty to transfer from undocumented to documented status; and

"Whereas, Congress appropriated \$4 billion to fund the State Legalization Impact Assistance Grants (SLIAG) program to assist states in the creation and maintenance of these programs; and

"Whereas, Approximately 1.6 million immigrants currently reside in California, have applied for amnesty, and will become permanent residents of California; and

"Whereas, Approximately 75 percent of the 1.6 million amnesty applicants are functionally illiterate in English, having scored below the 215 level on the Comprehensive Adult Student Assessment System which is equivalent to a fifth grade level and is the literacy benchmark used by California's welfare reform program to indicate a student's readiness for preemployment training; and

"Whereas, The newly legalized population has a health profile which includes a high incidence of diabetes, hypertension, upper respiratory problems, at risk pregnancies, high rates of pregnancies, and other conditions which lead to life-threatening illnesses; and

"Whereas, The federal government through the Family Support Administration of the Department of Health and Human Services issued the SLIAG regulations more than eight months after the program was to have begun; and

"Whereas, This delay was compounded by a lack of guidelines to be followed by states and their subcontractors in dealing with proper documentation and cost tracking standards; and

"Whereas, The initial SLIAG federal regulations precluded states from spending SLIAG funds on outreach programs, and this resulted in much lower amnesty applicant participation in SLIAG programs; and

"Whereas, The amnesty applicant population is difficult to reach through traditional outreach programs and for this reason specially tailored programs had to be created to encourage this population to access SLIAG programs; and

"Whereas, The federal government issued regulations which permitted state governments to expend their SLIAG funds through 1994 and the State of California chose to use SLIAG funds over a minimum period of five years; and

"Whereas, The use of SLIAG funded programs has increased every year they have been in existence, and the total demand for these programs is expected to remain at a high level; and

"Whereas, Despite all these obstacles, California has drawn more than \$962 million, or 75 percent, of its approximate \$1.3 billion allocation, to date, in SLIAG funding and expects an upward trend in future expenditures; and

"Whereas, The level of spending of SLIAG funds has resulted in the impression that the newly legalized population is not in need of education, health, and public assistance services; and

"Whereas, This impression contradicts the experience in California where the newly legalized population is in great need of services to assist in its integration into the mainstream of society; and

"Whereas, The General Accounting Office recommended concurrence with congress-



sional action to restore SLIAG funds for 1992 if states could demonstrate increased use of SLIAG moneys; and

"Whereas, The President has proposed to eliminate the allocation of \$1.1 billion to the states for the SLIAG program, as proposed in the Federal Fiscal 1992 Budget; now, therefore, be it

*"Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to honor the commitment to restore previously deferred federal funding for the State Legalization Impact Assistance Grants program and to assist the amnesty population in the transition into the mainstream of American society; and be it further*

*"Resolved, That the Legislature of the State of California further memorializes Congress that the State of California approved and adopted a five-year program for spending its full SLIAG funding, and must accommodate 1.6 million, or more than 50 percent of the total amnesty population in the United States; and be it further*

*"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and the Vice President of the United States, the Secretary of Education, the Secretary of Health and Human Services, the Speaker of the House of Representatives, and each Senator and Representative from California to the Congress of the United States."*

POM-290. A joint resolution adopted by the Legislature of the State of California; to the Committee on Labor and Human Resources:

**"ASSEMBLY JOINT RESOLUTION NO. 40**

"Whereas, the antiprogesterone steroid mifepristone, known as RU-486, has been approved and available in France since November of 1988; and

"Whereas, It is in keeping with basic medical standards to avoid surgical procedures whenever an equally effective noninvasive alternative is available; and

"Whereas, The medical community has identified RU-486 as a promising treatment for medical purposes, including the termination of early pregnancy, treatment of breast and brain cancer, endometriosis, AIDS, glaucoma, gynecological malignancies, osteoporosis, Cushing's disease, and other serious conditions facing women and all Americans; and

"Whereas, The American Medical Association, the American Public Health Association, the American College of Obstetricians and Gynecologists, the American Association for the Advancement of Science, the California Medical Association, the California Chapter of the American College of Obstetricians and Gynecologists, Los Angeles Medical Commission, and the California Conference of Local Health Officers have formally recognized the importance of RU-486 and support the testing of RU-486 in the United States; and

"Whereas, The Food and Drug Administration acted precipitously and without evidence that RU-486 was brought into the country illegally when it enacted the import alert against RU-486, and this import alert has thwarted the availability of RU-486 to the few scientific research studies being conducted in the United States with the drug; and

"Whereas, California is the largest state in the nation and should maximize its resources to help make this technology available to women; and

"Whereas, All American women and their families are entitled to the best medical research and this drug may be the solution to many conditions now predominantly affecting women; now, therefore, be it

*"Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California memorializes the Congress and the President of the United States to rescind the import alert imposed by the Food and Drug Administration and support the use of RU-486 for all appropriate research and, if indicated, clinical trials; and be it further*

*"Resolved, That the Legislature of the State of California urges the State Department of Health Services to use its statutory authority to approve the use of RU-486 in clinical trials as expeditiously as possible; and be it further*

*"Resolved, That the Legislature of the State of California encourages all qualified investigators, companies, and businesses which decide to test RU-486 to choose California as the site for clinical trials for all research associated with RU-486 and to submit the data from the clinical trials to the Food and Drug Administration and the State Department of Health Services; and be it further*

*"Resolved That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the manufacturer of RU-486, Roussel UCLAF, 35 Boulevard des Invalides 75007, Paris France, to the Commissioner of the federal Food and Drug Administration, and to the State Director of Health Services."*

POM-291. A joint resolution adopted by the Legislature of the State of California; to the Committee on Labor and Human Resources:

**"ASSEMBLY JOINT RESOLUTION NO. 42**

Whereas, Every American woman should consider herself at risk of breast cancer; and

"Whereas, Breast cancer remains the most common form of cancer in women, and ranks second only to lung cancer as the leading cause of cancer deaths among women; and

"Whereas, Breast cancer robs women of their security, their dignity, and valuable years of motherhood to the children they leave behind; and

"Whereas, 175,000 women were diagnosed with breast cancer in 1990 and 44,500 women will die from breast cancer this year; and

"Whereas, There is recognition and significant alarm over new statistical data indicating that breast cancer in the United States is rising at a rate of approximately 2 percent a year; and

"Whereas, While 30 years ago, breast cancer struck one in every 20 American women, today one out of nine American women will develop breast cancer in her lifetime; and

"Whereas, Of those women who contract breast cancer, one out of four will die from the disease, and this death rate represents a 24 percent increase since 1979; and

"Whereas, The annual direct medical costs of breast cancer to our society are \$2 billion, more than \$2,000 a year per woman living with breast cancer; and

"Whereas, The direct and indirect costs concerning a breast cancer diagnosis exact an economic toll of \$8 billion a year. This figure is computed by the impact on the health system, the loss of work time, the loss of women employees, and the lives lost to a disease that bankrupts families emotionally and economically; and

"Whereas, Current breast cancer research is directed at detection and treatment, but basic research to prevent healthy women from ever getting breast cancer is virtually nonexistent; and

"Whereas, The total budget for the National Cancer Institute (NCI) has increased by only \$23 million in inflation-adjusted dollars during the last decade, the lowest percentage increase among all the institutes of health; and

"Whereas, Due to the lack of funds, only 26 percent of the NCI breast cancer grant requests approved through the peer review process currently receive any money; and

"Whereas, The continuing rise in the lifetime risk of breast cancer incidence means that emphasis must be given to breast cancer when research grants are funded; and

"Whereas, The only effective means of protecting the health of American women is to conduct the critically needed basic cancer research as proposed on the federal level; now, therefore, be it

*"Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes Congress and the President of the United States to enact HR 2210, the Breast Cancer Basic Research Act, by Representative Mary Rose Oakar, which would allocate \$50 million to the National Cancer Institute for breast cancer research; and be it further*

*"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."*

POM-292. A joint resolution adopted by the Legislature of the State of California; to the Committee on Labor and Human Resources:

**"ASSEMBLY JOINT RESOLUTION NO. 37**

"Whereas, The practice of replacing striking workers has increased dramatically since 1981; and

"Whereas, The right of workers to withhold their labor during negotiations has been an essential element of the collective bargaining process; and

"Whereas, Employee faith in the collective bargaining process is damaged by any undermining of this basic right, thereby increasing the probability of prolonged and disruptive labor disputes and increased economic hardship; and

"Whereas, An increasing number of employers in the 1980's relied upon a 1938 Supreme Court ruling that legalized the "replacement" of striking workers and a 1986 decision that authorized preferential treatment for strikebreakers, thereby disturbing the balance of power which had previously ensured fair and expeditious labor negotiations; and

"Whereas, Thousands of workers in California have lost their jobs when they chose to exercise their rights and, in effect, their last practical recourse under the National Labor Relations Act and the Railway Labor Act; and

"Whereas, Proposed amendments to the National Labor Relations Act and the Railway Labor Act contained in H.R. 5 and S. 55 would make it unlawful to offer permanent employment or employment preference to an individual who would work during a strike; and

"Whereas, Approval of H.R. 5 and S. 55 would restore the right to strike to its historical status as a legitimate tool of the collective bargaining process; and

"Whereas, H.R. 5 and S. 55 would further prohibit employers from providing preferential benefits to workers who would cross the picket line to return to work and thus protect the rights of, and prevent retribution against, workers who participate in job actions; and

"Whereas, H.R. 5 and S. 55 are essential to restoring the integrity and purpose of the National Labor Relations Act's and the Railway Labor Act's time-tested process for the fair and equitable disposition of labor disputes; now, therefore, be it

*"Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to amend the National Labor Relations Act and the Railway Labor Act to prevent discrimination based on participation in labor disputes by limiting the hiring of permanent replacement workers during bona fide labor-management disputes and prohibiting employers from offering preferential benefits to those workers; and be it further*

*"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."*

POM-293. A joint resolution adopted by the Legislature of the State of California; to the Committee on Labor and Human Resources:

**"SENATE JOINT RESOLUTION NO. 27"**

"Whereas, Family planning clinics provide important access to health services for California's economically disadvantaged women; and

"Whereas, Federal Title X funds provide \$12.2 million to California, financial assistance critical to over 200 family planning facilities statewide; and

"Whereas, The majority of women served by family planning clinics receiving Title X funding have no other alternatives for health care; and

"Whereas, California's family planning clinics are already experiencing significant financial stress as the result of below average reimbursement rates for services provided; and

"Whereas, California's law on "informed consent" requires physicians to advise their patients of all risks, benefits, and alternatives on any medical procedure, and any limits on informed consent would represent a violation of California law; and

"Whereas, California's physicians have a professional obligation to inform their patients of all their treatment alternatives, and any limits on this obligation would jeopardize the patient-physician relationship; and

"Whereas, The United States Supreme Court ruling of May 23, 1991, in the case of *Rust v. Sullivan*, upholds regulations adopted by the Secretary of Health and Human Services which prohibit family planning programs that receive Title X funds from providing abortion counseling or referral services to women; and

"Whereas, The people of California believe that the regulations adopted by the Secretary of Health and Human Services violate the fundamental rights to privacy and free speech, despite the United States Supreme Court's holding; and

"Whereas, Family planning providers might be forced out of moral obligation, the exercise of their right to free speech, and their adherence to California's law on in-

formed consent, to turn down federal title X funding, thereby reducing the number of women served or closing family planning facilities; now, therefore, be it

*"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California expresses its deep concern over the United States Supreme Court ruling in the case of *Rust v. Sullivan* upholding the regulations prohibiting health care professionals from counseling their patients on, or providing referrals for, abortion, and strongly supports federal legislation clarifying original congressional intent that Title X funding be used to provide unbiased and accurate information on reproductive health care for economically disadvantaged women; and be it further*

*"Resolved, That the Legislature of the State of California strongly urges that the United States Congress enact clarifying legislation and the President of the United States sign the legislation into law; and be it further*

*"Resolved, That the Legislature of the State of California registers its alarm that the United States Supreme Court ruling undermines a woman's fundamental right to privacy, including her right to choose an abortion, and be it further*

*"Resolved, That the Legislature of the State of California reaffirms its support for protection of these rights for all women, including economically disadvantaged women, and be it further*

*"Resolved, That the Legislature of the State of California expresses its serious concern that the United States Supreme Court ruling limits the First Amendment rights of free speech of health care professionals, and be it further*

*"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the President pro Tempore of the United States Senate, to each Senator and Representative from California in the Congress of the United States, to the Chief Clerk of the United States House of Representatives, to the Secretary of the United States Senate, and to the presiding officer of each house of the legislature of each of the other states in the Union."*

POM-294. A joint resolution adopted by the Legislature of the State of California; to the Committee on Labor and Human Resources:

**"SENATE JOINT RESOLUTION NO. 25"**

"Whereas, It is the intent of the Legislature to support and enhance the opportunity and ability of all persons with disabilities who reside within California to lead productive, independent, personally empowered, and contributing lives; and

"Whereas, The Department of Rehabilitation provides a specialized constellation of case management, counseling, and the purchase of goods and services and provides a variety of assistance to persons with disabilities who have independent living, employment, and employability needs; and

"Whereas, This vocational rehabilitation system was originated and defined in 1920 by federal law whose current form and funding is embodied in the federal Rehabilitation Act of 1973, the intent of which is to promote more independent and productive lives for persons with disabilities; and

"Whereas, Efforts to review and reform this original purpose have only led to minor changes in the service approach, philosophy, and funding patterns, despite evidence which indicates not only that persons with severe

disabilities continue to experience 74 to 86 percent unemployment, major underemployment due to segregation and low expectation, and increasing waiting lists for services, but also that disabled youth and older persons are extremely underserved; and

"Whereas, With passage of the Americans with Disabilities Act of 1990, which sets forth a sweeping new and systematic declaration of human and civil rights for people with disabilities based on contemporary congressional findings and the assertion of cultural and societal values, dramatic increases in full participation and economic integration of all persons with disabilities will occur in America; and

"Whereas, No substantial effort has been exerted to look at the many areas of potential system improvements and economies that coexist between the public rehabilitation system, unemployment insurance, and workers' compensation in California that would lead to major benefits to the California economy; and

"Whereas, A revolution in technology, science, and support services exists that offers to expand the benefits to consumers of services and the public and private employer sector in California; and

"Whereas, Research from the last decade and the summing up of the best clinical and program practices has not been applied to the service delivery system in order to improve quality and economies to the consumer and tax paying public; and

"Whereas, The federal Rehabilitation Act of 1973 will be reauthorized by Congress by September 1991; now, therefore, be it

*"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California urges the California Congressional Delegation to support a two-year reauthorization process of the federal Rehabilitation Act of 1973 that will provide widespread local hearings to ensure maximum public input to focus on establishing a paradigm shift in the rehabilitation system service design in keeping with the spirit and letter of the Americans with Disabilities Act; and be it further*

*"Resolved, That the Legislature commission a study to be completed not later than September 1, 1993, and to be coordinated by the Senate Office of Research in consultation with the Department of Rehabilitation, which parallels the congressional reauthorization timetable that will provide the Legislature with recommendations on the administrative, programmatic and fiscal reorganization of the Department of Rehabilitation that will do all of the following:*

*"(a) Research and analyze cost-benefit data that currently exists.*

*"(b) Define performance standards and outcome measures for services to persons with disabilities.*

*"(c) Compare state-of-the-art service models and approaches to maximize the benefits and utilization of these best practices in serving people with disabilities.*

*"(d) Recommend appropriate levels of funding needed to meet the needs of disabled persons in service modes that are congruent with the modern mission of the department.*

*"(e) Install patterns of spending and utilization of federal funds that promote maximum success in achieving personal empowerment and productive independent living, including voucher systems and the creative mixing and matching of public and private funds.*

*"(f) Install service models that maximize economies consistent with the values, goals, and objectives of career-oriented support*



services and assessment approaches; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

Mr. LOTT:

S. 2163. A bill to establish a Second National Blue Ribbon Commission to Eliminate Waste in Government; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

Mr. SARBANES:

S. 2164. A bill to increase the number of weeks for which benefits are payable under the Emergency Unemployment Compensation Act of 1991, and for other purposes; to the Committee on Finance.

Mr. BINGAMAN:

S. 2165. A bill to amend the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.) to establish the National Education Property Board, and for other purposes; to the Committee on Governmental Affairs.

Mr. KASTEN:

S.J. Res. 243. A joint resolution to designate the period commencing March 8, 1992 and ending on March 14, 1992, as "Deaf Awareness Week"; to the Committee on the Judiciary.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

Mr. GORE:

S. Con. Res. 87. A concurrent resolution expressing the sense of the Congress that the President of the United States should lead the United States delegation to the United Nations Conference on the Environment and Development; to the Committee on Foreign Relations.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SARBANES:

S. 2164. A bill to increase the number of weeks for which benefits are payable under the Emergency Unemployment Compensation Act of 1991, and for other purposes; to the Committee on Finance.

##### EXTENSION OF EMERGENCY UNEMPLOYMENT BENEFITS

• Mr. SARBANES. Mr. President, economic circumstances have made it necessary to seek another extension of unemployment benefits for American workers. The legislation I am introduc-

ing today addresses a serious and urgent problem that Congress and the President should resolve as soon as possible.

The bill would provide an additional 13 weeks of unemployment benefits for jobless workers in all States through June 13, 1992. With this bill and the Emergency Unemployment Compensation Program enacted in November, workers could be eligible for up to 59 weeks of benefits in high unemployment States or 52 weeks of benefits in all other States.

Over a million jobless workers were able to claim extended benefits under the EUC program that went into effect in November. More than half of them will run out of benefits again in February. Unless we act, they will have the safety net pulled out from under them in the midst of a prolonged recession.

To get the economy out of recession and put it on course for strong economic growth in the future, we need a comprehensive economy recovery and growth program. One of the basic elements of the package must be a further extension of unemployment insurance benefits.

Unemployment insurance is the first line of defense against recession. Benefits paid to workers accomplish two objectives. First, they help workers and their families in a period of distress. Second, they help slow the deterioration of the economy. They flow to the locations in the most economic distress, and they are spent immediately. Unemployment benefits are a well-timed, well-targeted countercyclical economic stabilizer.

Unfortunately, today's recession has overrun the first line of defense. The recession is in its 18th month—three times as long as the basic benefit period. There is no evidence that we are turning the corner, in fact, some key economic indicators are worse today than at any other time during the recession. In December, the unemployment rate was 7.1 percent. Nearly 9 million Americans are unemployed and many of them have exhausted their unemployment benefits. They are looking for work in a job market that is far worse than it was when they lost their jobs.

During the recession, the number of long-term unemployed has risen sharply. Eighteen months ago, about 600,000 people had been without work for longer than 26 weeks. By December, more than 1½ million people had been looking for work for more than 26 weeks. The number took a sharp rise just within the last 2 months.

Given the direction of the economy and the growing numbers of long-term unemployed, it makes sense to extend the number of weeks of unemployment insurance coverage. In the last two serious recessions, workers who remained unemployed for extended periods of

time received a minimum of 52 weeks of unemployment benefits. Today in the midst of the longest recession in postwar history, we provide only a maximum of 39 weeks of benefits.

The bill I am introducing today adds another level of benefits to the Emergency Unemployment Compensation Act, which provides 13 or 20 weeks of benefits beyond the 26 weeks normally provided by State unemployment programs. The legislation would provide up to an additional 13 weeks in all States, through June 14, 1992. It also extends the authorization of the EUC program from June 13, 1992, through October 3, 1992.

In addition, the bill assures that the extended benefits trust fund will receive credit for the funding measures enacted as part of the EUC. Currently, the EB trust fund is being docked for the EUC benefits paid, but the fund is not being credited with the offsetting funding measures enacted in November.

I argued last year for an emergency declaration on the grounds that the funds had already been raised for the purpose of extended UI benefits. Instead of declaring an emergency, we enacted offsetting funding measures. The value of those measures should be credited to the trust fund.

The President's refusal to accept the unemployment bill Congress sent to him in August and again in October caused irreversible pain for countless numbers of families across the country. While they waited for an extension of benefits to take effect, many of them lost homes, were evicted from their apartments, had their cars reclaimed, and sank deeper in economic distress. This must not happen again. While the extension of unemployment benefits is a critical part of any economic package, it is a self-standing piece. It should be moved as quickly as possible and not embroiled in any other issues.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2164

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. INCREASE IN AMOUNT OF EMERGENCY UNEMPLOYMENT BENEFITS.

(a) INCREASE IN BENEFITS.—

(1) Subparagraph (A) of section 102(b)(2) of the Emergency Unemployment Compensation Act of 1991 (Public Law 102-164, as amended) is amended to read as follows:

"(A) IN GENERAL.—Except as otherwise provided in this paragraph—

"(i) IN GENERAL.—

"(I) In the case of weeks beginning during a high unemployment period, the applicable limit is 33.

"(II) In the case of weeks not beginning in a high unemployment period, the applicable limit is 26.

"(ii) REDUCTION FOR WEEKS AFTER JUNE 13, 1992.—In the case of weeks beginning after June 13, 1992—

"(I) clause (i) of this subparagraph shall be applied by substituting '20' for '33', and by substituting '13' for '26', and

"(II) subparagraph (A) of paragraph (1) shall be applied by substituting '100 percent' for '130 percent'.

In the case of an individual who is receiving emergency unemployment compensation for a week which includes June 13, 1992, the preceding sentence shall not apply for purposes of determining the amount of emergency unemployment compensation payable to such individual for any week thereafter beginning in a period of consecutive weeks for each of which the individual meets the eligibility requirements of this Act."

(2) Subparagraph (A) of section 102(b)(1) of such Act is amended by striking "100 percent" and inserting "130 percent".

(3) Subsection (c) of section 501 of such Act is amended—

(A) by striking "65" and inserting "130", and

(B) by adding at the end thereof the following new sentence: "Effective on and after June 13, 1992, the preceding sentence shall be applied by substituting '65' for '130'; except that, in the case of an individual who is receiving extended benefits under this section for June 12, 1992, this sentence shall not apply for purposes of determining the amount of extended benefits payable to such individual for any day thereafter in a continuous period for which the individual meets the eligibility requirements of this section and the Railroad Unemployment Insurance Act."

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Subsection (e) of section 101 of such Act is amended by striking "in a 20-week period or 13-week period, as defined in section 102,".

(2) Subsection (c) of section 102 of such Act is amended—

(A) by striking "20-week" in paragraph (1) and inserting "high unemployment", and

(B) by striking "20-WEEK" in the subsection heading and inserting "HIGH UNEMPLOYMENT".

(3) Section 102 of such Act is amended by striking subsection (d).

(4) Subsection (e) of section 102 of such Act is amended to read as follows:

"(e) SPECIAL RULES.—

"(1) MINIMUM DURATION.—A high unemployment period shall last for not less than 13 weeks.

"(2) NOTIFICATION BY SECRETARY.—When a determination has been made that a high unemployment period is beginning or ending with respect to a State, the Secretary shall cause notice of such determination to be published in the Federal Register."

(5) Paragraph (1) of section 102(g) of such Act is amended by striking "20-week period or 13-week period" and inserting "high unemployment period".

(6) Paragraph (2) of section 102(g) of such Act is amended by striking "20-week period" and inserting "high unemployment period".

(7) Section 106(b) of such Act is amended by striking "paragraph (3), (4), or (5)" and inserting "paragraph (3) or (4)".

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to weeks of unemployment beginning after the date of the enactment of this Act.

(2) TECHNICAL AMENDMENT.—The amendment made by subsection (b)(7) shall take effect as if included in the amendments made by section 3 of the Act entitled "An Act to provide for the termination of the applica-

tion of title IV of the Trade Act of 1974 to Czechoslovakia and Hungary" (Public Law 102-182).

#### SEC. 2. EXTENSION OF PROGRAM.

(a) GENERAL RULE.—Sections 102(f)(1)(B), 102(f)(2), 106(a)(2), and 501(b)(1) and (2) of the Emergency Unemployment Compensation Act of 1991 (Public Law 102-164, as amended) are each amended by striking "June 13, 1992" and inserting "October 3, 1992".

(b) CONFORMING AMENDMENT.—Subsection (a) of section 501 of such Act is amended by striking "June, 1992" and inserting "September 1992".

#### SEC. 3. TRANSFER OF FUNDS TO THE UNEMPLOYMENT TRUST FUND.

The Secretary of the Treasury shall transfer to the extended unemployment compensation account (as established by section 905 of the Social Security Act) of the Unemployment Trust Fund an amount equal to the amount of deficit reduction resulting from the provisions contained in title IV and title VI of the Emergency Unemployment Compensation Act of 1991. The amount of such deficit reduction shall be based on estimates made by the Office of Management and Budget pursuant to the Budget Enforcement Act of 1990 for the 5-fiscal year period beginning in fiscal year 1992. In the event no official estimate is required for any year in such 5-year period, the Office of Management and Budget shall make such estimates for such a year in a manner consistent with the Budget Enforcement Act of 1990.

#### SEC. 4. TREATMENT UNDER PAY-AS-YOU-GO PROCEDURES.

(a) DESIGNATION AS EMERGENCY.—The provisions of (and amendments made by) this Act shall be treated as provisions designated as emergency requirements by the President and the Congress under section 252(a) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) NEW BUDGET AUTHORITY, ETC. NOT CONSIDERED.—Any amount of new budget authority or outlays resulting from the provisions of (and amendments made by) this Act shall not be considered for any purpose under the Balanced Budget and Emergency Deficit Control Act of 1985.

By Mr. KASTEN:

S.J. Res. 243. Joint resolution to designate the period commencing March 8, 1992, and ending on March 14, 1992, as "Deaf Awareness Week"; to the Committee on the Judiciary.

#### DEAF AWARENESS WEEK

• Mr. KASTEN. Mr. President, the voice of students at Gallaudet University was heard loud and clear in March 1988. Their victorious progressive social movement stands alone in the history of deaf America. As the fourth anniversary of these events nears, it is important that we commemorate that most important accomplishment—the installation of Gallaudet's first ever deaf president.

Today it is a great joy for me to once again introduce a resolution that provides national recognition to the historic "Deaf Awareness Week."

Designating March 8-14, 1992, as "Deaf Awareness Week" will not only educate able American citizens, but it will also bring enormous pride to the approximately 24 million who are hearing impaired. This week will symbolize

ideals that have been realized over the past 4 years.

This special week will once again provide us with the opportunity to listen to our fellow citizens who are hearing impaired.

Let us continue to pay tribute to the outstanding efforts of the students, faculty, and alumni of Gallaudet University by commemorating "Deaf Awareness Week."•

#### ADDITIONAL COSPONSORS

S. 2

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of S. 2, a bill to promote the achievement of national education goals, to establish a National Council on Educational Goals and an Academic Report Card to measure progress on the goals, and to promote literacy in the United States, and for other purposes.

S. 21

At the request of Mr. CRANSTON, the name of the Senator from Tennessee [Mr. GORE] was added as a cosponsor of S. 21, a bill to provide for the protection of the public lands in the California desert.

S. 152

At the request of Mr. COATS, the name of the Senator from Florida [Mr. MACK] was added as a cosponsor of S. 152, a bill to amend the Internal Revenue Code of 1986 to increase the personal exemption to \$4,000.

S. 308

At the request of Mr. MITCHELL, the name of the Senator from Nebraska [Mr. KERREY] was added as a cosponsor of S. 308, a bill to amend the Internal Revenue Code of 1986 to permanently extend the low-income housing credit.

S. 642

At the request of Mr. COATS, the name of the Senator from Florida [Mr. MACK] was added as a cosponsor of S. 642, a bill to amend the Internal Revenue Code of 1986 to increase the personal exemption for dependents of a taxpayer.

S. 643

At the request of Mr. COATS, the name of the Senator from Florida [Mr. MACK] was added as a cosponsor of S. 643, a bill to amend the Internal Revenue Code of 1986 to increase the personal exemption for dependent children of a taxpayer who are 6 years old or younger.

S. 644

At the request of Mr. SIMON, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 644, a bill to amend the Budget Enforcement Act of 1990 to allow offsetting transfers among discretionary spending categories.

S. 701

At the request of Mr. COATS, the name of the Senator from Florida [Mr.



MACK] was added as a cosponsor of S. 701, a bill to amend the Internal Revenue Code of 1986 to increase the amount of the exemption for dependent children under age 18 to \$3,500, and for other purposes.

S. 752

At the request of Mr. SMITH, his name was added as a cosponsor of S. 752, a bill to amend the Internal Revenue Code of 1986 to make the allocation of research and experimental expenditures permanent.

S. 1009

At the request of Mr. COATS, the name of the Senator from Florida [Mr. MACK] was added as a cosponsor of S. 1009, a bill to amend the Internal Revenue Code of 1986 to increase the amount of the exemption for dependent children under age 18 to \$4,000, and for other purposes.

S. 1257

At the request of Mr. BOREN, the name of the Senator from Oklahoma [Mr. NICKLES] was added as a cosponsor of S. 1257, a bill to amend the Internal Revenue Code of 1986 with respect to the treatment of certain real estate activities under the limitations on losses from passive activities.

S. 1725

At the request of Mr. DIXON, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of S. 1725, a bill to authorize the minting and issuance of coins in commemoration of the quincentenary of the first voyage to the New World by Christopher Columbus and to establish the Christopher Columbus Quincentenary Scholarship Foundation and an Endowment Fund, and for related purposes.

S. 1774

At the request of Mr. BRYAN, the names of the Senator from Maryland [Ms. MIKULSKI], the Senator from Mississippi [Mr. LOTT], and the Senator from Montana [Mr. BURNS] were added as cosponsors of S. 1774, a bill to establish a silver congressional commemorative medal for members of the United States Armed Forces who served in a combat zone in connection with the Persian Gulf conflict.

S. 1931

At the request of Mr. STEVENS, the names of the Senator from Texas [Mr. BENTSEN], the Senator from South Carolina [Mr. THURMOND], the Senator from Indiana [Mr. LUGAR], the Senator from Colorado [Mr. BROWN], the Senator from Illinois [Mr. DIXON], and the Senator from Arizona [Mr. DECONCINI] were added as cosponsors of S. 1931, a bill to authorize the Air Force Association to establish a memorial in the District of Columbia or its environs.

S. 1966

At the request of Mr. BIDEN, the name of the Senator from Colorado [Mr. BROWN] was added as a cosponsor of S. 1966, a bill to establish a national background check procedure to ensure

that persons working as child care providers do not have a criminal history of child abuse, to initiate the reporting of all State and Federal child abuse crimes, to establish minimum guidelines for States to follow in conducting background checks and provide protection from inaccurate information for persons subjected to background checks, and for other purposes.

S. 2009

At the request of Mr. PACKWOOD, the name of the Senator from Louisiana [Mr. JOHNSTON] was added as a cosponsor of S. 2009, a bill to amend the Internal Revenue Code of 1986 to modify certain provisions relating to the treatment of forestry activities.

S. 2065

At the request of Mr. DIXON, the names of the Senator from North Dakota [Mr. CONRAD] and the Senator from New York [Mr. D'AMATO] were added as cosponsors of S. 2065, a bill to federalize the crime of child molestation for repeat offenders.

S. 2106

At the request of Mr. CRANSTON, the name of the Senator from Minnesota [Mr. DURENBERGER] was added as a cosponsor of S. 2106, a bill to grant a Federal charter to the Fleet Reserve Association.

S. 2157

At the request of Mr. CRANSTON, the name of the Senator from Pennsylvania [Mr. WOFFORD] was added as a cosponsor of S. 2157, a bill to limit the provision of United States foreign assistance, including security assistance, to developing countries whose military expenditures do not exceed more than 3.6 percent of their gross national product.

#### SENATE JOINT RESOLUTION 214

At the request of Mr. RIEGLE, the names of the Senator from Massachusetts [Mr. KENNEDY], the Senator from Nevada [Mr. REID], the Senator from Arkansas [Mr. PRYOR], the Senator from Nebraska [Mr. EXON], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Illinois [Mr. SIMON], the Senator from Tennessee [Mr. SASSER], the Senator from Washington [Mr. ADAMS], the Senator from Minnesota [Mr. WELLSTONE], the Senator from South Dakota [Mr. PRESSLER], the Senator from Vermont [Mr. JEFFORDS], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Indiana [Mr. COATS], the Senator from Missouri [Mr. BOND], the Senator from Missouri [Mr. DANFORTH], the Senator from New Mexico [Mr. DOMENICI], and the Senator from Delaware [Mr. ROTH] were added as cosponsors of Senate Joint Resolution 214, a joint resolution to designate May 16, 1992, as "National Awareness Week for Life-Saving Techniques."

#### SENATE JOINT RESOLUTION 228

At the request of Mr. D'AMATO, the name of the Senator from North Dakota [Mr. CONRAD] was added as a co-

sponsor of Senate Joint Resolution 228, a joint resolution to designate the week beginning February 23, 1992, as "National Manufacturing Week."

#### SENATE JOINT RESOLUTION 240

At the request of Mr. SPECTER, the names of the Senator from New York [Mr. MOYNIHAN], the Senator from Connecticut [Mr. DODD], the Senator from Ohio [Mr. GLENN], the Senator from New Jersey [Mr. BRADLEY], the Senator from Massachusetts [Mr. KERRY], the Senator from Maryland [Ms. MIKULSKI], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from North Dakota [Mr. BURDICK], the Senator from Illinois [Mr. DIXON], the Senator from Ohio [Mr. METZENBAUM], the Senator from Delaware [Mr. BIDEN], the Senator from Nevada [Mr. REID], the Senator from Florida [Mr. GRAHAM], the Senator from Pennsylvania [Mr. WOFFORD], the Senator from Washington [Mr. ADAMS], the Senator from Nevada [Mr. BRYAN], the Senator from Rhode Island [Mr. PELL], the Senator from Michigan [Mr. RIEGLE], the Senator from Delaware [Mr. ROTH], the Senator from New Hampshire [Mr. RUDMAN], the Senator from Utah [Mr. GARN], the Senator from South Carolina [Mr. THURMOND], the Senator from Iowa [Mr. GRASSLEY], the Senator from Florida [Mr. MACK], the Senator from South Dakota [Mr. PRESSLER], and the Senator from Alaska [Mr. MURKOWSKI] were added as cosponsors of Senate Joint Resolution 240, a joint resolution designating March 25, 1992 as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy."

#### SENATE CONCURRENT RESOLUTION 17

At the request of Mr. HATCH, the names of the Senator from Arkansas [Mr. BUMBERS], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Alabama [Mr. SHELBY], the Senator from Wisconsin [Mr. KASTEN], and the Senator from North Carolina [Mr. HELMS] were added as cosponsors of Senate Concurrent Resolution 17, a concurrent resolution expressing the sense of Congress with respect to certain regulations of the Occupational Safety and Health Administration.

#### AMENDMENT NO. 1479

At the request of Mr. NICKLES the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of amendment No. 1479 proposed to S. 2, a bill to promote the achievement of national education goals, to establish a National Council on Educational Goals and an Academic Report Card to measure progress on the goals, and to promote literacy in the United States, and for other purposes.

# SENATE CONCURRENT RESOLUTION 87—RELATIVE TO THE PRESIDENT'S ATTENDANCE AT THE EARTH CONFERENCE

Mr. GORE submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 87

Whereas the United Nations Conference on Environment and Development presents a unique opportunity for community of nations to discuss options to arrest poverty and environmental destruction as we enter the 21st century;

Whereas, the United Nations has determined that the conference will be a meeting at the head of State and Governmental level: Now, therefore be it;

*Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the President should—*

(1) attend the United Nations Conference on Environment and Development in June, 1992, as the leader of the United States delegation.

Mr. GORE. Mr. President, I rise on this occasion to introduce a joint resolution calling upon the President of the United States to recognize the extraordinary importance of the U.N. Conference on Environment and Development that will be held in Brazil in June of this year, and to announce his intention to personally attend the so-called Earth summit.

Mr. President, I feel that President Bush should attend the Earth summit because it promises to be the single most important meeting ever held on the global environmental crisis and on ways that nations throughout our world can work together to successfully resolve this crisis.

The leaders of every other G-7 nation have already announced their intention to personally attend the Earth summit. I believe it is time for President Bush to do the same thing.

Mr. President, I want to emphasize that in introducing this resolution, I am not in any way, shape, or form attempting to make a partisan point. In fact, today in the other body, this same resolution is being introduced by my colleague, Congressman JOHN PORTER, a member of the Republican Party, and it has very strong bipartisan support, both in the Senate and in the other body.

Our purpose in introducing this resolution is, first of all, to urge the President to go to the Earth summit. But there is a second message in this resolution. We want to provide some degree of comfort to the President's political advisors by telling them that they do not have to worry about President Bush receiving any partisan criticism for leaving this country and going to Brazil for this extremely important meeting.

On some occasions during the past year, there has been a good deal of criticism directed at President Bush for paying less attention to the problems

of our country than he has devoted to the many challenges that fall into his area of responsibility where foreign policy is concerned, and Congressman PORTER and I, and many of our colleagues in both parties, want to put the Congress of the United States on record as urging the President to attend the Earth Summit, partly to insulate him from any concern about criticism if he does attend.

I think he has to attend, Mr. President. Let me simply say that it is inconceivable to me that he would decide not to go to the Earth summit. There has been a very long planning period in nations throughout the world aimed at the Earth summit in Brazil. There are two important negotiations underway right now, one on climate change, and the other on biodiversity, aimed at completing treaties that will be signed at the Earth summit in Brazil.

A few weeks ago, Mr. President, I spent a week in Geneva at the negotiations leading up to the UNCED conference in Brazil. I wish to report to my colleagues that the negotiations are proceeding fairly well, although I must say that on some key points, the lineup is 139 countries on one side, and only one country on the other side; that one country being our own, because of positions adopted by the Bush administration.

I will go into more detail on those points in a formal report to the Senate on the preparations for UNCED and on the state of play in the negotiations for the climate change treaty and the biodiversity treaty. But on this occasion, I want to focus on this resolution.

I intend, incidentally, Mr. President, to seek a vote on this resolution even if it has to be offered as an amendment to some pending measure, because I think it is extremely important to get a vote. My colleague, Congressman PORTER, is also announcing his intention today to do everything possible to get a vote in the other body, as well.

The fact is the continued vitality of the Earth's life-support assistance and critical decisions that will affect the health and well-being of our citizens and the people around the world are in the balance, and it is critical Democrats and Republicans join together to ensure the success of the Earth summit. The President's commitment to this objective is, of course, imperative.

We are the natural leaders of the world in the United States of America. I do not mean for that to sound as a chauvinistic remark. I think it is simply a fact. The United States must lead and, within the United States, the President must lead.

I also want to point out that Congressman PORTER and I are not alone in sending this message to the President. In fact, we are merely amplifying the voices of many thousands of people around the country and around the world who have been making the same urgent request of Mr. Bush.

I even took the occasion, Mr. President, to privately advise President Bush's political campaign officials that if he does not attend, he is likely to suffer political embarrassment at a key moment. The California primary will take place right in the middle of the Earth summit. But it will not be just President Bush who suffers embarrassment; our country will suffer embarrassment. I just want to get this message across. It is imperative for him to be there, and many, many thousands of people are saying the same thing to him.

In fact, just yesterday, children from all parts of our Nation came to Washington to express their deep concern for the health of this planet, and they brought petitions with them. They are collecting a million signatures from children between now and Earth Day in April to convince President Bush to attend the Earth summit and to go there with a meaningful position.

These children tried their best to deliver the message to President Bush, but they were turned away at the White House. One of them said she understood fully, this 7-year-old girl who was just very cute, very precious. She said she understood he had an important speech on Tuesday night, and he probably had to memorize it.

In any event, the petitions will be delivered. Senator CHAFEE and I held a hearing yesterday at which the children presented their petitions and their CO<sub>2</sub> challenge, and we promised to make certain that the petitions would get to President Bush. These children delivered a simple and powerful message. The future of their planet and their own futures are in jeopardy, and we must do all that we can to stop the devastation and destruction now.

In addition to the urging of these children, we have heard a similar message time and again from Mr. Major, the leader of the United Kingdom; Mr. KOHL, the leader of Germany; the leaders of all nations in the European Community and the Scandinavian countries; and Japan.

All have urged President Bush to join with them and attend the Earth summit and work with them rather than work against the effort to successfully resolve the global environmental crisis.

We need action now to control our emissions of greenhouse gases. Scientists tell us that the threat to the planet's delicate climate balance builds as 1991 was the second hottest year in history in spite of the volcanic eruption at Mount Pinatubo, second to 1990 in breaking all the temperature records.

We need action now to stop the senseless destruction of forests, especially rain forests, throughout the year. That process of destruction is increasing and, in the process, thousands of species are lost forever, at a rate



1,000 times faster than at any point in the last 65 million years.

We need, Mr. President, to accelerate the phaseout of ozone-depleting chemicals. In fact, present law requires President Bush to accelerate the phaseout schedule whenever new significant evidence is brought forward about the destruction underway.

Within the past year we have had two significant reports. First, we found out that the process was occurring 200 percent faster than previously thought. Second, we now have evidence of ozone depletion in the summertime in northern latitudes.

For a long time, scientists have warned us of the possibility that the buildup of these ozone-depleting chemicals throughout the atmosphere of the entire Earth poses the threat of ozone depletion above populated areas. Now it is taking place in winter to a small degree, as much as 18-percent less ozone in the stratosphere above Washington, DC; in Colorado, New Hampshire, Tennessee, and other States represented in the Chamber here at this moment, and the threat of even worse damage lies ahead.

We have a right to expect President Bush to comply with the law, which does not give him the choice. It says he has to accelerate the phaseout. When is he going to act? When is the EPA going to act?

Mr. President, again this is only one of the steps which needs to be taken to protect the Earth's environment, and on this occasion I am concentrating on this resolution to urge the President to attend the Earth summit in Brazil. This resolution will come up for a vote very soon, one way or another. I urge my colleagues on both sides of the aisle to support it.

In closing, President Bush is, in my opinion, guilty of the greatest abdication of leadership and abdication of responsibility by refusing to give this environmental crisis his attention. I hope my colleagues will join me in calling for the leadership we need from President Bush now and will support this resolution.

I thank the Chair.

#### AMENDMENTS SUBMITTED

#### NATIONAL LITERACY ACT

#### METZENBAUM AMENDMENT NO. 1496

Mr. METZENBAUM proposed an amendment to the bill (S. 2) to promote the achievement of national education goals, to establish a National Council on Education Goals and an Academic Report Card to measure progress on the goals, and to promote literacy in the United States, and for other purposes, as follows:

At the appropriate place add the following new section:

#### SEC. . GENERAL ACCOUNTING OFFICE REPORT ON THE EFFECT OF TAX INCENTIVES ON LOCAL PUBLIC SCHOOL FINANCE.

(A) Within 180 days after the date of enactment, the Comptroller General of the United States shall prepare and submit to the chairman and ranking majority member of the Senate Committee on Labor and Human Resources a study on the nature and extent of tax abatements given by state and local governments to attract business and the extent to which such abatements:

(i) reduce the tax base available to support public elementary and secondary education in the jurisdiction granting the abatement;

(ii) reduce the funds available to support elementary and secondary schools in the jurisdiction granting the abatement; and

(iii) review the extent to which citizens in the state and local community granting the abatement realize the potential impact of the abatement on funding for local public schools.

#### AUTHORITY FOR COMMITTEES TO MEET

##### SUBCOMMITTEE ON COURTS AND ADMINISTRATIVE PRACTICE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Courts and Administrative Practice of the Committee on the Judiciary, be authorized to meet during the session of the Senate on Tuesday, January 28, 1992, at 2:30 p.m., to hold a hearing on H.R. 2450, a bill to amend title 28, United States Code, to provide for Federal jurisdiction of certain multiparty, multiforum, civil actions.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate, Tuesday, January 28, 1992, at 10 a.m. to conduct a hearing on the nominations of Daniel F. Evans, Jr., Lawrence U. Costiglio, William C. Perkins, and Marilyn R. Seymann to be Directors of the Federal Housing Finance Board.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADDITIONAL STATEMENTS

#### VIEWS ON REPATRIATION IN NICARAGUA

• Mr. REID. Mr. President, Mike O'Callaghan, former Governor of the State of Nevada, and now executive editor of the Las Vegas Sun, recently returned to Nicaragua where he has traveled several times before. His insight into the repatriation process of former Contras is very revealing, and I ask that a series of three articles he wrote upon his most recent return be printed in full in the RECORD.

The articles follow:

[From the Las Vegas Sun, Dec. 21, 1991]

#### BITTERSWEET RETURN TO NICARAGUA

(By Mike O'Callaghan)

JUIGALPA, NICARAGUA.—Returning to this area, where I arrived with three busloads of wounded Contras after the peace agreement last year, is both rewarding and depressing. It reminds me of eating bittersweet chocolate, each bite brings a new taste sensation.

Nicaragua Army-supported death squads, recompas, roam the hills north and east of Managua. They boldly strike in broad daylight with the knowledge that the national police and Sandinista-run army will not pursue or punish them. More about this bitter side of Nicaragua tomorrow.

The progress that many amputees and other wounded members of the Nicaraguan Resistance have made is the sweet side of what has happened during 1991.

The Organization of American States Commission, under the direction of Santiago Murray, working with the Nicaraguan Repatriation Institute, headed by Oscar Soybalbarro, who is better known as Commandante "Ruben" by his Contra followers, has made great progress.

I found my friend Jehu, still confined to a wheelchair, sitting in from of his own little home instead of the tent I left him in last year. Certainly his concrete house with three small rooms wouldn't pass other sanitary or engineering standards in our city. Nevertheless, his pride in having a home showed in his voice and eyes. He wanted me to tell Luis Vegan Dr. Lonnie Hammargren hello and reassure him he will soon be walking. Lonnie checked Jehu when he was hospitalized in Honduras before the ceasefire.

Amputees Cecillo Centeno ("Alex") and Jose Gregorio Amador ("Coyote") are two of three partners running a tiny store on the backside of this town. But a stone's throw away from them is amputee Luis Felipe Granados ("Punche") along with three partners operating a shoe-mending shop. A neighboring carpenter shop is run by Ellos Miranda who is still recuperating from serious war wounds.

Fifteen miles off the main road between this town and Managua is a newly founded farming community of 28 wounded Contra combatants and their families. Just down the rutted dirt road from this group of 160 people is a larger, more prosperous Sandinista-run cooperative. "We get along with them just fine," one of the men told me.

Sergio O'Connor and Carlos Garcia, who we still call "Chino," had taken me to see the new community. The homes with dirt floors are shelters the occupants treasure. Chino, a leg amputee who heads up the wounded veterans of the Resistance Forces, gave me added hope when saying, "We have talked to the Sandinista wounded and soon we will have a gathering." These men and women are tired of war and bloodshed.

Closer to Managua, near the town of Tipitapa, I watched former Contra combatants harvest a bumper crop of millet. Despite the drought, the hybrid seed brought in from Texas produced a crop beyond all expectations. Standing in the fields ready for harvest is a heavy sesame crop. The several dozen people involved in farming almost 2,000 acres will pay for the seed, all the expenses and still have enough to feed their families during the coming year.

Over on the Atlantic Coast, 20 fishing boats have been acquired by Santiago Murray and the OAS for the Miskito Indian fish-

ermen who had their boats and homes destroyed during the reign of Daniel Ortega and his Sandinista government.

Yes, I found progress and hope among the returnees who have acquired land and have been involved in social and economic programs. The sad part of what I observed is the large number—about half—of the returning combatants are yet to receive land or adequate program help. An equal percentage of the widows and orphans left behind by their dead comrades also are waiting for their meager \$20 monthly pensions while the Sandinista survivors have been receiving checks for more than a year.

I'll stop writing before moving into the bitter side of 1991 Nicaragua. The fruit and vegetable stands along the rural roads and in the city of Managua markets are weighted down with delicious produce. There is some economic progress and the streets and roads are crowded with vehicles and people. But the blood and terror of war haven't disappeared, and for some Nicaraguans it has increased.

[From the Las Vegas Sun, Dec. 22, 1991]

#### WHERE I STAND

(By Mike O'Callaghan)

LA TRINIDAD, NICARAGUA.—"We have more being killed in that area than we did during the war," Julio Escovio Moreno told me from his wheelchair. Julio, now a patient in the nearby Adventist Hospital, went on to say that the Sandinistas couldn't find him to shoot during the war "but now they have done it during peace."

They are the Nicaraguan Army death squads called recompas who have killed almost 200 returning Contra commanders and cadre during the past year. Lately they have included any person who had been resistance-oriented during the most recent war.

Julio knows the four militia men, from a Sandinista cooperative near Quilati in northern Nicaragua, who shot him three months ago. He has little hope that they will be punished although a Sandinista army captain took his statement several days after the attack.

Inside the hospital, I found a former resistance soldier who had been seriously wounded five days earlier when army-uniformed recompas stopped a civilian bus in which he was riding. Only he and two other former resistance men, who they killed immediately, were marked for death by the terrorists.

In a nearby bed was a rural policeman, also a former Contra, who, along with three other policemen, was ambushed by the recompas. He was first taken to the village of Wiwill, where infection set in after three days. Then he was taken to a large state hospital in Managua where the Sandinista doctors ignored him for another three days. He was infected enough for his leg to be amputated when his friends had him transferred up north to this hospital, where former Contra doctors have been fighting to save the limb.

Several times, wounded and sick members of the Nicaraguan resistance have related their bad and/or inadequate care by state-paid doctors. Too many cases have been documented for these charges to be ignored. It's difficult for me to even imagine this is a common happening, but I now have no doubts that many recent amputations and deaths are the result of Sandinista government doctors intentionally ignoring the combat returnees.

David Lopez, a physical therapist, told me, "I still am fearful after what happened November 26th." Lopez, a Chilean volunteer for the Pan American Development Foundation,

was talking about the day recompas and several other uniformed soldiers took disabled resistance veteran Mario Vivas from a hospital transportation vehicle and killed him. Lopez tried to intervene, but one of the terrorists stuck an AK-47 automatic rifle in his belly and took off the safety.

Are David Lopez, and his beautiful wife going to leave Nicaragua? No, like several outsiders trying to heal the wounds of war, he intends to remain and hopes to complete his mission. But like most people working in this area, he has found the national police and the army a greater hindrance than help.

President Violeta Barrios de Chamorro's 1990 landslide election victory over then-ruling Sandinista strongman Daniel Ortega has been a short-lived win for her supporters. Soon after her win at the polls, she retained her son-in-law Antonio Lacayo as her top minister. Lacayo's close relationship with Sandinista Minister of Defense Gen. Umberto Ortega, Daniel's brother, resulted in his retention as general of the army. Also the national police remained in the control of the Sandinista party which had been rejected by the voters. Ruling muscle remains in the hands of the losers, to be abused 12 months later.

As a former member of the Carter Commission who closely watched the entire election and campaign, I have been shocked to see what has happened to the farmers and peasants who fought for their freedom from the Sandinista tyranny. Since that election, I have returned to help the amputees and war orphans, and participated in the peace negotiations between the Yatama (Indian) resistance forces and the government. A sweet election victory has been allowed to deteriorate into a reign of terror for many of the most helpless and needy returning veterans.

Last Sunday at Catholic Mass, I heard Cardinal Obando Bravo tell us that he would like to believe that the radio commentator was incorrect when calling Nicaragua "a nation of murderers."

Following Mass, I went to the office of the Nicaraguan Repatriation Institute in Managua and saw bullet holes in the building and a limb blown off of a tree in the yard by a rocket-propelled grenade. This didn't happen during the war but on November 8th, when the Sandinista mobs burned city hall, trashed a monument, destroyed an Organization of American States vehicles and burned several municipal vehicles.

Judging by what is happening in Nicaragua today, that radio commentator appears to be more right than wrong. This isn't an accurate view of the people of this nation. In reality, it is the Nicaraguan people who are the victims of the few who refuse to give up power they legally lost during the 1990 election.

The time is here for responsible U.S. leaders to tell Violeta, Umberto, his brother Daniel, and Antonio Lacayo that enough is enough. Army death squads in El Salvador couldn't be tolerated by this nation and neither can they be tolerated when being allowed and even supported by a government we recognize and have supported since the 1990 election.

Very simply, they must be told to knock it off or no more dollars from Uncle Sam. We must refuse to be in bed with a government that not only allows terrorism but also supports it.

[From the Las Vegas Sun, Dec. 25, 1991]

#### CHRISTMAS COMES TO NEEDY ORPHANAGE

(By Mike O'Callaghan)

SAN ISIDRO LIBERTADOR ORPHANAGE.—Here, on top of a hill, there are dozens of orphans

who are having a happy Christmas because of some generous Las Vegans. I won't mention names, because the largest contributor wishes to remain anonymous.

During our visit last week, Christmas came to this orphanage and three others founded by the late Padre Rafael Maria Fubretto Michelli, who came to Nicaragua from Italy four decades ago.

Padre Fubretto's orphanages here and in northern rural areas house 160 children. Never have I seen such poverty in an institution where a child having his or her own bed feels blessed. Thanks to our friend Chino, Tim Brown, a senior State Department officer on leave, and I found our way from downtown Managua up a dirt trail to San Isidro Libertador.

We first entered a bare dining room where the cook, with two small babies, was waiting to hear what food would be available for the evening meal. Would it be rice and beans or would it be beans and rice? Just by chance that evening it would be beans with some beef ribs for flavor. It wasn't the night for milk which can only be afforded once a week.

Then we wandered through the old box-shaped huts that allow the wind, rain and sunlight to enter between gaps in the siding. Soon we found a German volunteer, Anje Christine Pape, a registered nurse. For weeks, she has been seeking financial support so the children could have something special for Christmas.

"What if you had enough money to buy things for the children. What would you buy?" I asked her. She paused momentarily and answered, "Food, wood to cook it with and toys." She quickly explained that even the diet of beans and rice requires firewood to cook it. We handed the wide-eyed young lady the money she needed.

The volunteer from Germany, called Anna by the children, then told us she would take the money and make certain that all 160 children in the four orphanages would have a variety of food, goodies and toys Christmas week. We didn't tell her that an even larger sum of money from the Silver State would be left with David Lindwell at the U.S. Embassy to set up provisions for additional food and milk during the coming months.

There are several concrete platforms where some of the box-shaped shelters had rested. What happened to them, did they just fall apart? No, they were blown away during several storms that have struck the hilltop.

Inside one hut, two girls were sleeping with all of their personal belongings resting at the foot of their beds. Both Maria Anna Cooper, 10, and Blanca Rosa Megilla, 14, informed me that they would, like most of the children, be here on Christmas day. Next door in a similar hut, several children gathered around their only television set and one child played with a small scooter, the only toy in sight.

Our next stop was at an empty chapel where benches are moved in from a classroom when services are held. During our visit, it was obvious that simple items like chairs, towels and lockers are all in the category of luxuries unavailable to the children.

Well, thanks to some Las Vegans, all of these children will have a special day and week to remember when their friend Anna passes out gifts before they enjoy the best meal of the entire year.

Thanks to these Las Vegans and my new friend Anna, my day here at home will also be more enjoyable. ♦



# ANNOUNCING THE WINNERS OF THE "HEALTHY ME, HEALTHY MAINE" CONTEST

• Mr. COHEN. Mr. President, I am pleased to have this opportunity to congratulate the winners of the "Healthy Me, Healthy Maine" contest.

Last fall, my office sponsored a contest designed to encourage children in Maine to recognize the importance of good health, nutrition, and physical fitness. The response to the "Healthy Me, Healthy Maine" contest yielded over 2,700 creative poems, essays, and posters. Schoolchildren in grades K to 8 throughout the State of Maine participated in the contest, enthusiastically demonstrating their appreciation of healthy habits.

These young artists and writers have shown an impressive understanding of the elements of good health and the need to ensure a healthy environment for themselves, their peers, and for future generations. As third grader Jana Savage of Bangor writes, "If you keep healthy, your life will be longer and more enjoyable. Being healthy means having a healthy body, healthy mind, and healthy attitude."

Studies show that emphasizing health promotion and prevention strategies can reduce the risk of health problems that result from unhealthy behaviors, such as smoking, excessive use of alcohol, or improper eating habits. I believe we would all do well to heed these children's messages in our own lives.

I would also like to thank the judges of the "Healthy Me, Healthy Maine" contest: Ruth Sargent, a resident of Peaks Island, ME, who writes and illustrates children's books; Dale Duff, sportscaster for WLBZ-TV in Bangor; and Ed Miller, executive director of the Maine Lung Association in Augusta. These people have generously lent their time and talent to the difficult task of choosing the best entries in each category.

Finally, and most importantly, it is my pleasure to honor and congratulate the following young people for their winning entries in the "Healthy Me, Healthy Maine" contest.

In the poem category for the K to 2 division, first place was awarded to Andrew Jameson of Warren Primary School. Angie Hafford of Allagash Consolidated School was recognized as the second place winner, and was followed by Jennifer Hafford and Jodi Kelly, also from Allagash Consolidated, who tied for third place. Adam Sokoloski of the Lewis Libby School in Milford received an honorable mention for his poem.

Flora Brown of Chebeague Island School placed first in the grades 3 to 5 division for her poem about good eating habits. Also in this division, Jay Lester of the Frank I. Brown School placed second; Jonathan Schaming of the Presumpscot School in Portland

placed third, and Robert McCollom of Chebeague Island School received an honorable mention.

Jaime Nye of Corinna Junior High School was awarded first place for her verse in the poetry category for grades 6 to 8. Suzanne Delafontaine, a student at Noble Junior High in Berwick, placed second in this division. Mandy Damon of Jay Junior High School won third place for her entry, and Jeffrey Harding of Emerson Junior High School in Bar Harbor tied with Kelly Prince of John R. Graham School in Veazie for honorable mention.

In the essay category for grades 3 to 5, Melissa Jo Fraser, a student at the Helen Hunt School in Old Town, won first place for her essay on physical fitness. Jana Savage, a third grader at Bangor's Vine Street School, was awarded second place honors; and Sarah Cotter Egerhei of Rangeley Lakes Regional School won third place. Honorable mention went to Elizabeth Owen of Prescott Memorial School in Washington.

Eighth grader Christopher Maguire of Sanford Junior High School won first place in the essay division for grades 6 to 8 for his prose about the role of protecting the environment in the promotion of good health. Andrea D'Auteuil of the Gray-New Gloucester School received second place recognition for her essay. Third place went to Geoff Halber, a student at the John R. Graham School in Veazie. Honorable mention was shared by Joelle Smith, a seventh grader at Jay Junior High School, and Melissa Stillberger, a seventh grader at Noble Junior High School.

Once again, I want to thank the judges, parents, teachers, and all of the young people who participated for their enthusiasm and creativity. The winning posters in all grade divisions are on display this week in the rotunda of the Russell Senate Office Building, and I hope that my colleagues will take advantage of this opportunity to view these children's efforts. •

## SANGER HIGH SCHOOL NJROTC

• Mr. SEYMOUR. Mr. President, I am pleased to introduce into the record an article about the Sanger High School Naval Junior Reserve Officer Training Corps [NJROTC] which appeared in the November 1991 issue of Officer Review. This institution has been a constant source of pride for the City of Sanger, CA.

The NJROTC has dedicated itself to providing students with an alternative to drugs, violence, and crime. By placing a high value on education, discipline, citizenship, and community involvement, the NJROTC plays a substantial role in training the leaders of tomorrow.

Indeed, the wide variety of academic programs offered by the NJROTC has

enticed more than 13 percent of the Sanger High student body to join the program. Their pursuit of excellence has resulted in the appointment of 23 students to our Nation's military academies. In 1985, eight students were appointed to the Naval Academy, an accomplishment that was acknowledged by President Ronald Reagan in a letter of congratulations to the unit. In addition, 32 of Sanger's cadets have received ROTC scholarships, while a number of graduating seniors have enlisted in the Armed Forces.

As a result of the commitment of individuals such as John Nicholson, a retired Navy captain and the commander of the unit, today's youth have the opportunity to improve themselves through the challenges posed by the Sanger program.

It gives me great pleasure to draw the attention of Senate to the accomplishments of the Sanger High NJROTC Program and I ask that a copy of the article from Officer Review appear in full at this place in the RECORD.

The article follows:

FRESNO CHAPTER MOWW SUPPORTS A HIGHLY SUCCESSFUL PROGRAM—HIGH ON NJROTC

(By JOC Dale Gamble)

High school students in California's San Joaquin Valley are receiving high tech academic instruction from a most unusual source—NJROTC. Students at Sanger High School do not regard the Naval Junior Reserve Officer Training Corps unit as a place to go just to march in formation with a rifle burying itself into their shoulders. Instead, they see this program as an avenue to the future. They have heard about record-setting appointments to the military academies, the numerous scholarships available through the program, and the credit given by graduating seniors who said how much their lives and changed because of NJROTC. They are enthusiastic about participating in the computer-oriented course with links of the Dow Jones, National Geographic Society, and even a direct communication line to NASA. Throughout the valley, students realize that this NJROTC unit is on the leading edge of technology and education, a combination which not only benefits them, but the Navy, as well.

Since 1976, Sanger High School's NJROTC cadets have gained enormous community and financial support. During this time, 13 percent of the total student population has enrolled in the unit, 23 have gone to one of the military academies (eight in one year to the U.S. Naval Academy), 32 of Sanger's cadets received ROTC scholarships to further their education, and a substantial number of graduating seniors enlisted in the armed forces. Over a four-year peak enrollment period between 1982 and 1986, 148 cadets left Sanger with either appointments or scholarships, or had enlisted. Fifty of the 148 joined the Navy.

The unit's most successful year was 1985. Referred to as "The Year of the Eight," six men and one woman obtained appointments to the U.S. Naval Academy, with yet another graduate headed for the academy's preparatory school. While other units have sent larger numbers, none have sent so many from the same high school. Each NJROTC unit can make only three nominations and

not all get appointments. However, all three of Sanger's nominees achieved direct appointments that year. Four more were appointed by U.S. Representatives. This record-setting achievement was recognized by former President Ronald Reagan in a letter to the unit congratulating them for such an accomplishment by a single high school.

That now-famous year for Sanger also had an impact on later generations of cadets. Arturo Ybarra, a senior heading for the Naval Academy's prep school, and Midshipman Kevin Delano both acknowledge that when they heard about the eight seniors leaving for the academy, they knew the program was important to their future. Delano remembers being in eighth grade at the time, and convincing his parents not to move from Sanger because he wanted to be part of the NJROTC. Ybarra was in the seventh grade in 1985, and he, too, recalls how those eight seniors changed his direction in life. In 10 months, he hopes to enter the Naval Academy for a career as a Marine Corps officer.

The main objectives of the NJROTC program are to teach leadership and citizenship, influence behavior, mold personal discipline, and produce productive individuals. The NJROTC program affords an opportunity for secondary school students to learn basic elements and requirements for national security and personal obligations as an American. While not specifically a recruiting method, an interest in the military as a possible career is often fostered.

Sanger, like other units, bases its curriculum on Naval Science textbooks. Inside their single-floor, three-room building, the staff of four retired naval members instruct cadets on topics such as: military orientation, U.S. history, geopolitics, science (oceanography, meteorology and astronomy), and military science.

What makes Sanger's NJROTC unit so consistently successful is its revolutionary educational concept, which has earned it several honor school awards. On a personal crusade over the past 15 years to graduate highly functional seniors into society, has been retired Navy CAPT John L. Nicholson. Both Sanger's Citizen and Educator of the Year recipient, Nicholson has redirected the curriculum to emphasize academics linked with computers and other modern technologies. Starting in 1976 with one computer, an antiquated typewriter with a broken space bar and sticking keys and an enrollment of 43 cadets, Nicholson has expanded to 35 computers and an enrollment which has gone as high as 305. This school year's enrollment was 246 of 1,609 Sanger students.

Nicholson was not satisfied with just military drilling. In 1986, he initiated the change to modern technology. "In eight weeks, the Navy can teach someone how to execute left face and right face commands, cut their hair, and say 'Yes, sir.' But our problem is that only one out of four seniors can pass the ASVAB to be gainfully employed by the military. To me, it was obvious what we had to do. We have to teach reading, writing, math and cultivate thinking skills in order for them to pass any kind of entrance exam. If we spend four years with a student in a glorified boot camp, then we aren't getting a fully qualified student, we aren't getting a talented student who is able to deal with the high-tech that's in our Navy."

Nicholson and his staff do not ignore the military requirements of the NJROTC program. He still enjoys getting out on the field with uniformed cadets with the shined shoes because he knows how much it improves their sense of belonging and self-esteem.

One man who never had any experience with the NJROTC program is Sanger High School principal, Ronald Schiller. One of his basic educational philosophies has always been to expect the best of any program. When eight students left Sanger for the Naval Academy the first year he was the principal, Schiller knew his campus has a tremendous program available to the students.

"Students go to Nicholson because he sells an academic product, and they see a future there," said Schiller. "As a by-product, the students also see other things the military teaches, such as discipline and leadership. Not only does this unit attract students who may be interested in a military career, it also attracts students who are bound for Stanford, the University of California, or Harvard."

One such cadet who earned many offers to colleges and universities was a young Hispanic daughter of migrant field workers. As Nicholson recalled, she applied herself totally to the program, excelled in academics and became the unit's commandant. Upon graduation, she opted to go to Harvard—without using an ROTC scholarship.

Interest in Sanger's NJROTC unit has spread throughout the San Joaquin Valley, as noticed by two NRD San Francisco recruiters. PNC Glenn Burghardt and HTI William Zamora both have observed the unit's extraordinary stimulation on teenagers living in towns between Mantos and Bakersfield. Each has heard comments, such as, "NJ was the cool thing to do," and they have noticed the large number of transfer requests to Sanger.

"Throughout my 10 years of recruiting and association with ROTC, I have noticed a recurring theme on applicants' essays about the reason they are pursuing a commission as a naval officer," remarked Burghardt, the district's NROTC recruiter. "Each wrote about how much Nicholson had changed their life by emphasizing academics and proving that they had great potential and wouldn't have to accept anything less than success."

While assigned to NRS Fresno North, Zamora worked the high school for 18 months and knows how much everyone wants to attend college. Taking advantage of the unit's modern approach to education and the Navy's leadership in high technology, he was able to get closer to the students.

"NJROTC allowed me to spend less time convincing students about Navy opportunities. Sanger's kids are generally afraid to talk with recruiters because they believe that once they join, they will never return home. With this program, everyone in Sanger, including the students and their parents, has a chance to understand what the Navy is about before making a decision about joining."

Just like other NJROTC staffs, Nicholson knows he and his staff are analogous to recruiters because of their shared endeavors and positions in the classroom. Nicholson spent 26 years in naval aviation, concluding his career after serving as commanding officer of the USS *Ranger* (CV 61). Assisting the captain are: a lieutenant commander, a master chief petty officer, and a chief petty officer, all with 20 or more years of active duty experience.

"If you look at it from a recruiting point of view, explained Nicholson, "NJROTC is preparing young people to be better qualified for life, which will ultimately benefit the Navy. We are preparing these young people to go into whatever they want to go into,

which includes the military. We don't ignore the military requirements, but we do push the academics because if students can't pass the ASVAB, or get high enough scores for electronics or nuclear power training, then we haven't done our job here."

Navy awareness through NJROTC is the biggest positive factor for a recruiter. Students have spent up to four years associating with the Navy, and have learned a lot about naval history, as well as adapting to the behaviors expected of military members. In Sanger's case, many of the students are in the top echelon of academic achievement, including valedictorians, and are extremely well-qualified for military service, because of the sophisticated method of instruction given by Nicholson and his staff. Many cadets attribute the program as the single most influential factor in their decision to pursue a military career. Nicholson advocates total interaction between units and recruiters, suggesting it should start either in the freshman year, or in the first year of enrollment in NJROTC. A recruiter could conceivably have three years to cultivate a rapport, and by graduation day, the students do not feel threatened and are more appreciative of career opportunities available in the Navy.

### THE MONTREAL PROTOCOLS

• Mr. MACK. Mr. President, I ask unanimous consent that the following article be printed in the RECORD.

This letter to the editor, written by then Secretary of Transportation Samuel Skinner, appeared in the November 25 edition of the Wall Street Journal. It is an excellent argument in favor of the Senate taking decisive action to approve the Montreal protocols:

#### SEEKING JUSTICE FOR KIN OF PAN AM 103 VICTIMS

Federal prosecutors have announced the indictment of two Libyan suspects in the bombing of Pan Am 103 in December 1988. Civilized people everywhere want the perpetrators of so unspeakably cruel and cowardly an act to be brought to justice, and soon.

Sadly, however, it will be a long time before the families of Pan Am 103 victims receive their own small measure of justice. Compensation that should be due them automatically as a result of an international air disaster will be paid only after years of grueling litigation, and then only if their lawyers are successful in proving Pan Am was somehow at fault in the Lockerbie tragedy. In a similar travesty, the families of the victims of the KAL 007 shoot-down have yet to receive a dime in compensation after eight years in the courts.

We need a better system—and it is available now, in two 16-year-old treaties called the Montreal Protocols. If ratified by the Senate, they would overhaul the hopelessly outdated rules on liability for international air accidents that were set in the 1929 Warsaw Convention, and provide a more humane response to those whose lives are shattered by such tragedies. The Senate Foreign Relations Committee has voted in favor of ratification four different times.

The main problem with the current rules is spelled out in the seldom-read fine print on every ticket: The airline's liability for injury or death is limited to a maximum of \$75,000 per passenger.

The concept of limited liability was based on a simple trade-off. Recognizing how dif-



ficult it is to prove fault in an air tragedy, the world's airlines agreed to "strict liability"—automatic compensation of passengers or their estates, with a limit on the amount for the injury or death of any one passenger. And, the \$75,000 limit applies only if the passenger was traveling to or from the U.S. For an American traveling from one foreign country to another, the maximum recovery is in the \$10,000 to \$20,000 range.

The Montreal Protocols would increase the liability of airlines everywhere to about \$130,000 a passenger. More important, they would allow us to establish a "supplemental compensation plan" to ensure that U.S. citizens automatically get full compensation for all economic and noneconomic damages, and that they get it promptly. The artificial limits on recovery would be abolished, along with the all but insuperable burden of having to prove "willful misconduct" on the part of the airline.

The supplemental compensation plan would be established by the airlines and governed by Department of Transportation requirements. It would be funded by a modest surcharge—about \$3—on every international ticket purchased in the U.S., but would provide benefits automatically in every case involving an American passenger, regardless of where the accident occurred, where the ticket was purchased or whether the surcharge was paid.

Unfortunately, the very trial lawyers who have made careers of litigating air-crash cases under the current, anachronistic system are opposing ratification of the Montreal Protocols. In fairness, it should be mentioned that the lawyers argue we should get rid of the Warsaw Convention altogether and just let them sue the airlines under the rules that cover most cases involving injury and wrongful death. Without the need to prove "willful misconduct" under the convention, they say, their batting average would soar.

I wish it were true. I've been a trial lawyer myself, and I don't like "strict liability" systems as a general rule. But our domestic legal system never has worked very well in international aviation cases, and it never will. In too many cases, U.S. courts would have trouble establishing jurisdiction, would have to apply the law of some other country, or would have great difficulty ascertaining the cause of an accident.

SAMUEL K. SKINNER,  
Secretary of Transportation.

WASHINGTON.

#### A BRIGHT IDEA FOR SAVING MONEY AND THE ENVIRONMENT

• Mr. KERRY. Mr. President, I rise today to place in the RECORD an excellent editorial by the Cape Cod Times in Hyannis, MA. The Cape Cod Times has been a leading voice for environmental protection in Massachusetts and I think the following editorial makes a very simple but important point about how we can both save money as consumers and help the environment.

The editorial follows:

[From the Cape Cod Times, Dec. 22, 1991]

#### A BRIGHT IDEA FOR SAVING MONEY, THE ENVIRONMENT

Despite all our troubles with the economy and the environment, we Americans are virtually ignoring light-bulb technology that can help substantially with both.

The technology can enable us to reap the benefits of huge energy savings. It permits conservation without sacrifice.

And it's not a matter of switching off the lights. It's a matter of switching bulbs.

The compact, low-energy fluorescent lightbulb is the state of the art in lighting, and it is enormously more efficient than the conventional incandescent bulb. Fluorescent bulbs, which now can be used in conventional lamps, last about 10 times as long as incandescent bulbs and use some 70 to 80 percent less electricity. They are in widespread use in other countries, but not here.

Why aren't American factories making them—and why aren't American consumers demanding them?

Fluorescent bulbs are appreciably more expensive, but the long-term savings in electricity to the individual consumer is two to three times the price of the bulb.

Were we to act collectively in installing such bulbs, the savings in energy would be extraordinary. If all Americans switched overnight to energy-efficient bulbs, we could save three-quarters of all the energy that goes into lighting nationwide—without having to do with less light. This translates into a potential \$25 billion annual saving. It also means we could, if we wished, close down every nuclear power plant in the country and some power plants operating on fossil fuels as well.

Many U.S. lightbulb manufacturers produce compact fluorescents—but only overseas. Why? Because that's where the major markets are, says Matthew Patrick, director of the non-profit, Hyannis-based Cape and Islands Self-Reliance Corp. The only company tapping the small U.S. market with a factory in this country, says Patrick, is the German manufacturer Osram. This arrangement has us creating jobs, as well as our most efficient bulbs, in places where there is little benefit for Americans.

Why not bring some of those jobs home?

Why are American manufacturers not promoting their energy-efficient products, such as compact fluorescents, in the United States?

Why don't government and industry resume the efforts begun in the 1970s to educate the public about the benefits of energy efficiency, and inform the public about advances in technology?

And why aren't American consumers demanding these products?

Education is the key, especially where energy is perceived to be relatively cheap. Americans may pay less for a gallon of gasoline or a kilowatt hour of electricity than Europeans do, but there are attendant penalties, including environmental degradation and health and economic costs, in our profligate use of energy.

Indeed, the great majority of our environmental problems are energy-related.

According to Patrick, whose agency promotes, conservation, taking advantage of all state-of-the-art energy technology would enable this country to cut its energy use by one third to one half. Imagine what we—as individuals and as a nation—could do with the resulting savings of at least \$130 billion.

Such savings would benefit individual household budgets, of course. They would make us far less dependent on imported oil. And they would benefit the environment by reducing the need to develop new energy sources and by reducing problems caused by energy byproducts and disposal.

These benefits require the public's cooperation, however, and that can come only through education. Given the shape of the economy and the burden of cleaning up the environment, it's a wonder that energy conservation no longer is a front-burner issue.

With an election year upon us, it ought to—it must—become one. •

#### IN RECOGNITION OF DR. AND MRS. BRYAN L. CROW

• Mr. SEYMOUR. Mr. President, on Sunday, February 2, the congregation of the Garden Church in Anaheim Hills, CA, will honor their pastor and his wife, Dr. and Mrs. Bryan L. Crow, for their 30 years of ministry and service to church and community.

The church family is planning a time of recognition during the 9:30 a.m. worship service Sunday morning and a brief reception following the service to celebrate the occasion. I cannot be in Anaheim Hills on Sunday, but I would like to take this opportunity to extend my best wishes to my friends in Anaheim Hills and my heartfelt gratitude to Dr. and Mrs. Crow for the years of friendship our families have shared.

John Milton wrote, "Freely we serve, because we freely love." Certainly this is an apt description of the spirit of service and love the Crows have shared with the congregation of the Garden Church and the community of Anaheim Hills over the last 30 years.

I ask the Senate to join me in recognizing this milestone for the Crows, the Garden Church, and the community of Anaheim Hills. •

#### NOTICE OF DETERMINATION BY THE SELECT COMMITTEE ON ETHICS UNDER RULE 35, PARAGRAPH 4, PERMITTING ACCEPTANCE OF A GIFT OF EDUCATIONAL TRAVEL FROM A FOREIGN ORGANIZATION

• Mr. SANFORD. Mr. President, it is required by paragraph 4 of rule 35 that I place in the CONGRESSIONAL RECORD notices of Senate employees who participate in programs, the principal objective of which is educational, sponsored by a foreign government or a foreign educational or charitable organization involving travel to a foreign country paid for by that foreign government or organization.

The select committee received a request for a determination under rule 35 for John Gorman, a member of the staff of Senator MACK, to participate in a program in Venezuela, sponsored by the Government of Venezuela, from January 12-17, 1992.

The committee has determined that participation by Mr. Gorman in this program, at the expense of the Government to Venezuela, is in the interest of the Senate and the United States.

The select committee received a request for a determination under rule 35 for Warren K. Erdman, a member of the staff of Senator BOND, to participate in a program in China, sponsored by the Chinese National Association of Industry and Commerce, from January 20-24, 1992.

The committee has determined that participation by Mr. Erdman in this program, at the expense of the Chinese National Association of Industry and Commerce, is in the interest of the Senate and the United States.●

#### UNITED STATES LOAN GUARANTEES TO THE STATE OF ISRAEL

● Mr. D'AMATO. Mr. President, I rise once again in support of the urgently needed \$10 billion in loan guarantees to the State of Israel. Loan guarantees, being only guarantees, are vitally important for the resettlement of Soviet and Ethiopian Jewry. I remind my colleagues once again, that a commitment which we made to America's only friend in the Middle East, Israel, must be kept. For this reason, I wish to share with my colleagues a letter from the Conference of Presidents of Major American Jewish Organizations to President Bush, requesting that the loan guarantees be granted.

The letter follows:

JANUARY 13, 1992.

The PRESIDENT,  
The White House,  
Washington, DC.

DEAR MR. PRESIDENT: Now that the 120 day postponement for consideration of the refugee absorption loan guarantees has passed, we urge the Administration to proceed expeditiously in its deliberations and its discussions with Israel and to support the necessary legislation to be enacted by Congress.

We regard this vital humanitarian concern as a top priority. We are unanimous in our support for the loan guarantees. The deteriorating situation in the former Soviet Union underscores the urgency of prompt action.

We know that there is a longstanding commitment on the part of the United States to assure the successful absorption of Soviet and Ethiopian Jewish refugees in Israel. You personally played a vital role in obtaining freedom for these beleaguered people and you have made clear your commitment to helping them secure proper housing and employment so they may become productive citizens in their new homeland.

The most effective way to achieve this common goal is to enact quickly legislation which would provide the absorption loan guarantees to Israel.

Respectfully,

Conference of Presidents of Major American Jewish Organizations: Shoshana S. Cardin, Malcolm Hoenlein.

American Gathering/Federation of Jewish Holocaust Survivors: Benjamin Meed, Sam Bloch.

American Jewish Committee: Alfred H. Moses, David Harris.

American Sephardi Federation: Leon Levy, Suri Kasirer.

American Zionist Youth Foundation: Rabbi Joseph P. Sternstein, Donald Adelman.

Anti-Defamation League of B'nai B'rith: Melvin Salberg, Abraham H. Foxman.

B'nai B'rith: Kent E. Schiner, Dr. Sidney M. Clearfield.

Bnai Zion: Werner Buckold, Mel Parness.

Council of Jewish Federations: Charles Goodman, Martin Kraar.

Federation of Reconstructionist Synagogues and Havurot: Valerie Kaplan, Rabbi Mordechai Liebling.

Jewish Community Centers Assoc.: Lester Pollack, Arthur Rotman.

Jewish Institute for National Security Affairs: Sen. Rudy Boschwitz, Thomas Neumann.

Mercaz: Rabbi Matthew H. Simon, Renah L. Rabinowitz.

National Committee for Labor Israel: Jay Mazur, Yehuda Ebstein.

National Council of Jewish Women: Joan Bronk, Iris Gross.

National Federation of Temple Sisterhoods: Judith M. Hertz.

American Israel Public Affairs Committee: Mayer Mitchell, Thomas A. Dine.

American Jewish Congress: Robert Lifton, Henry Siegman.

Amit Women: Norma Holzer, Marvin Leff.

American Zionist Federation: Simon Schwartz, Karen Rubinstein.

Association of Reform Zionists of America: Norman D. Schwartz, Rabbi Eric H. Yoffie.

B'nai B'rith Women: Harriet J. Horwitz, Elaine K. Binder.

Central Conference of American Rabbis: Rabbi Walter Jacob, Rabbi Joseph Glaser.

Emunah Women of America: Sondra Fisch, Shirley Singer.

Hadassah: Deborah Kaplan, Beth Wohlgeleuter.

Jewish Labor Committee: Lenore Miller, Martin Lapan.

Jewish National Fund: Ruth Popkin, Dr. Samuel I. Cohen.

Jewish War Veterans of USA: Albert L. Cohen, Herb Rosenbleeth.

Na'amat USA: Harriet Green.

National Conference on Soviet Jewry: Shoshana S. Cardin, Martin A. Wenick.

National Council of Young Israel: Chaim Kaminetsky, Rabbi Ephraim Sturm.

National Jewish Community Relations Advisory Council: Arden E. Shenker, Lawrence Rubin.

Rabbinical Assembly: Rabbi Irwin Groner, Rabbi Joel H. Meyers.

Religious Zionists of America: Rabbi Dr. Sol Roth, Israel Friedman.

Union of Councils for Soviet Jews: Pamela Braun Cohen, Micah H. Naftalin.

United Israel Appeal: Norman Lipoff, Herman Markowitz.

United Synagogue of Conservative Judaism: Alan J. Tichnor, Rabbi Jerome M. Epstein.

WIZO: Evelyn Sommer.

Women's League for Conservative Judaism: Audrey Citak, Bernice Balter.

Workmen's Circle: Harold Ostroff, Robert A. Kaplan.

Poale Agudath Israel: Rabbi Fabian Schonfeld, Rabbi Moshe Malinowitz.

Rabbinical Council of America: Rabbi Marc D. Angel, Rabbi Benjamin Walfish.

Union of American Hebrew Congregations: Melvin Merians, Rabbi Alexander M. Schindler.

Union of Orthodox Jewish Congregations of America: Sheldon Rudoff, Mandell I. Ganchrow, M.D.

United Jewish Appeal: Marvin Lender, Rabbi Brian L. Lurie.

Women's American Ort: Sandra Isenstein, Tehila Elperin.

Women's League for Israel: Trudy Miner, Dorothy Leffler.

World Zionist Org./American Section: Bernice Tannebaum, Zelig Chintiz.

Zionist Organization of America: W. James Schiller, Paul Flacks.●

#### MEASURE INDEFINITELY POSTPONED—S. 343

Mr. MITCHELL. Mr. President, I ask unanimous consent that calendar No.

96, S. 343, the high-performance computing bill, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### REGARDING A JOINT SESSION OF CONGRESS—HOUSE CONCURRENT RESOLUTION 267

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of House Concurrent Resolution 267 regarding the joint session of Congress just received from the House.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

H. CON. RES. 267

*Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, January 28, 1992, at 9 o'clock post meridiem, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.*

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 267) was agreed to.

Mr. MITCHELL. Mr. President, I move to reconsider the vote.

Mr. SIMPSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AUTHORIZATION TO ESCORT THE PRESIDENT INTO THE HOUSE CHAMBER

Mr. MITCHELL. Mr. President, I ask unanimous consent that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with the like committee on the part of the House of Representatives to escort the President of the United States into the House Chamber for the joint session this evening.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDERS FOR TOMORROW

Mr. MITCHELL. Mr. President, I will shortly ask unanimous consent that



the Senate stand in recess until 8:30 p.m. this evening, and I ask that upon reconvening at 8:30 p.m., the Senate proceed as a body to the House of Representatives to receive the President's message; that upon conclusion of the President's speech, the Senate stand in recess until 11 a.m. on Wednesday, January 29; that following the prayer, the Journal of the proceedings be deemed approved to date; that following the time for the two leaders, there then be a period for morning business not to extend beyond 1 p.m., with Senators permitted to speak therein, with Senator NUNN recognized for up to 15 minutes, with the time from 11:30 a.m. until 12:30 p.m. to be under the control of the Republican leader of his designee, and that during the period between 12:30 p.m. and 1 p.m., Senators LAUTENBERG and WOFFORD be recognized for up to 10 minutes each, and Senator SIMON up to 5 minutes; that at 1 p.m. the Senate resume consideration of S. 12, the Cable Television Consumer Protection Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### REGARDING EL SALVADOR— SENATE RESOLUTION 248

Mr. MITCHELL. Mr. President, I now ask unanimous consent that when the Senate considers Senate Resolution 248, regarding El Salvador, that there be 10 minutes for debate on the resolution with the time equally divided and controlled in the usual form, and that no amendments or motions be in order to the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECESS UNTIL 8:30 P.M.

Mr. MITCHELL. Mr. President, if there is no further business to come before the Senate at this time, I now ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 5:58 p.m., recessed until 8:30 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. WELLSTONE].

Mr. BINGAMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SHELBY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### JOINT SESSION OF THE TWO HOUSES—MESSAGE OF THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 176)

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the Hall of the House of Representatives for the joint session, and upon the conclusion of the joint session, the Senate will stand in recess until 11 a.m., Wednesday, January 29, 1992.

Thereupon, at 8:35 p.m., the Senate, preceded by the Secretary of the Senate, Walter J. Stewart, and the Sergeant at Arms, Martha S. Pope, proceeded to the Hall of the House of Representatives to hear the address by the President of the United States, George Bush.

(The address by the President of the United States, this day delivered by

him to the joint session of the two Houses of Congress, appears in the proceedings of the House of Representatives in today's RECORD.)

#### RECESS UNTIL TOMORROW AT 11 A.M.

At the conclusion of the joint session of the two Houses, and in accordance with the order previously entered into, at 10 p.m., the Senate recessed until tomorrow, January 29, 1992, at 11 a.m.

#### NOMINATIONS

Executive nominations received by the Senate, January 28, 1992:

##### RESOLUTION TRUST CORPORATION

ALBERT V. CASEY, OF TEXAS, TO BE CHIEF EXECUTIVE OFFICER, RESOLUTION TRUST CORPORATION, (NEW POSITION), TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

##### FEDERAL HOUSING FINANCE BOARD

THE FOLLOWING NAMED PERSONS TO BE DIRECTORS OF THE FEDERAL HOUSING FINANCE BOARD, TO WHICH POSITIONS THEY WERE APPOINTED DURING THE LAST RECESS OF THE SENATE:

WILLIAM C. PERKINS, OF WISCONSIN, FOR A TERM OF 1 YEAR. (NEW POSITION)  
LAWRENCE U. COSTIGLIO, OF NEW YORK, FOR A TERM OF 3 YEARS. (NEW POSITION)  
MARILYN R. SEYMANN, OF ARIZONA, FOR A TERM OF 5 YEARS. (NEW POSITION)  
DANIEL F. EVANS, JR., OF INDIANA, FOR A TERM OF 7 YEARS. (NEW POSITION)

##### LEGAL SERVICES CORPORATION

THE FOLLOWING NAMED PERSONS TO BE MEMBERS OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR THE TERMS INDICATED, TO WHICH POSITIONS THEY WERE APPOINTED DURING THE LAST RECESS OF THE SENATE:

FOR TERMS EXPIRING JULY 13, 1992:  
J. BLAKELEY HALL, OF TEXAS.  
WILLIAM LEE KIRK, JR., OF FLORIDA.  
JO BETTS LOVE, OF MISSISSIPPI.  
GUY V. MOLINARI, OF NEW YORK.  
JEANINE E. WOLBECK, OF MINNESOTA.  
FOR TERMS EXPIRING JULY 13, 1993:  
HOWARD H. DANA, JR., OF MAINE.  
PENNY L. PULLEN, OF ILLINOIS.  
THOMAS D. RATH, OF NEW HAMPSHIRE.  
BASILE J. UDDO, OF LOUISIANA.  
GEORGE W. WITTRAF, OF IOWA.